

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

Piasa Commercial Interiors, Inc.)	
)	
Plaintiff,)	
)	Case No. 3:07-CV-617-DRH
vs.)	
)	CJRA Track B
J.P. Murray Company, Inc. d/b/a)	
Murray Company and)	
Fidelity and Deposit Company of)	
Maryland and Patriot Engineering and)	
Environmental, Inc.)	
)	
Defendants.		

FINAL PRETRIAL ORDER

This matter comes before the Court for Final Pretrial Conference held pursuant to Federal Rule of Civil Procedure 16.

I. COUNSEL OF RECORD

Plaintiff's Counsel:

David M. Duree, David M. Duree & Associates, P.C., 312 South Lincoln Avenue, O'Fallon, IL 62269 (Tel: 618-628-0186/Fax: 618-628-0259/Email: law@dmduree.net).

Defendants' Counsel:

Robert J. Golterman, Jeremy P. Brummond, R. Brad Ziegler, Lewis Rice & Fingersh, LC, 600 Washington Avenue, Suite 2500, St. Louis, MO 63101 (Tel: 314-444-7600/Fax: 314-612-1339/Email: Golterman: rgolterman@lewisrice.com; Brummond: jbrummond@lewisrice.com; Ziegler: bziegler@lewisrice.com). Attorney for Defendants J.P. Murray Company, Inc. and Fidelity and Deposit of Maryland.

Harold E. McKee, III, Riordan McKee & Piper, LLC, 20 North Wacker, Suite 910, Chicago, IL 60606 (Tel: 312-589-6033/Fax: 312-663 1028/Email: hmckee@rmp-llc.com). Attorney for Defendant Fidelity & Deposit Company of Maryland.

Gregory P. Cafouros, Kroger, Gardis & Regas, LLP, 111 Monument Circle, Suite 900, Indianapolis, IN 46204-5125 (Tel: 317-692-9000/Email: 317-264-6832/Email: gcafouros@kgirlaw.com). Attorney for Defendant, Patriot Engineering and

Environmental, Inc.

All claims against Patriot Engineering and Environmental, Inc. have been dismissed. The claims of J.P. Murray Company, Inc. against Patriot Engineering were dismissed voluntarily, without prejudice. The claims of Piasa Commercial Interiors against Patriot Engineering and Environmental, Inc. were dismissed by the Court pursuant to a Summary Judgment Motion.

II. NATURE OF THE CASE

Plaintiff Piasa Commercial Interiors, Inc. ("Piasa") brought suit for breach of contract and conversion arising from a construction project on the Richland Memorial Hospital in Olney, Illinois. J.P. Murray Company, Inc. ("Murray Company") is the design-build general contractor. Fidelity and Deposit Company of Maryland ("F&D") is its bonding company. Piasa is a subcontractor of Murray Company, which performed drywall, carpentry, fireproofing and related work.

Piasa claims that Murray Company breached the subcontract by failing to pay amounts due the Piasa, out of funds Murray Company had already been paid by the owner for such work, and by wrongfully terminating the subcontract. Piasa also claims that Murray Company and F&D, acting in concert, converted the funds that were due, and belonged to, Piasa.

Murray Company and F&D deny Piasa's claims. Murray Company denies that any money received from the owner was Piasa's property (which could be converted) and asserts it did not pay amounts claimed by Piasa because Piasa was not entitled to payment of those amounts under the parties' subcontract agreement. Specifically, Murray Company claims Piasa was not entitled to the amounts claimed because Piasa billed for work it had not yet performed, because Piasa was refusing to perform work on the project as required under Piasa's subcontract, and because Piasa failed to satisfy other conditions precedent to payment. Murray Company claims it correctly terminated Piasa's subcontract after Piasa refused to perform work when requested. Defendants' claim that Murray Company's defenses apply equally to Piasa's claim on the payment bond.

With respect to the conversion count, F & D denies that it possessed or controlled any money or property from any source on this Project and denies that it acted in concert with any party to convert any of Piasa's property.

Murray Company has filed a counterclaim against Piasa for breach of contract. In its counterclaim, Murray Company claims that Piasa breached the parties' subcontract by refusing to perform work under the scope of the parties' subcontract agreement when requested. Murray Company also claims Piasa

breached the agreement by failing to properly install certain sprayed fire-resistive materials for the Project (commonly referred to as “fireproofing.”). In its counterclaim, Murray Company seeks to recover, among other things, the costs Murray Company incurred to finish work Piasa was supposed to perform under its subcontract, to recover costs Murray Company incurred in connection with removal of fireproofing which Piasa installed, and to recover costs paid to the owner to compensate the owner for Project delay caused by problems with the fireproofing.

Piasa denies all allegations and all defenses of Murray Company and Fidelity and Deposit of Maryland.

III. JURISDICTION

- A. This is an action for damages.
- B. The Court has federal question and supplemental jurisdiction over the claims herein pursuant to 28 U.S.C. §§ 1331, 1352, & 1367. 28 U.S.C. § 1352 states that the “district courts shall have original jurisdiction . . . of any action on a bond executed under any law of the United States.” In this case, the payment bond at issue was required under 7 CFR 1942.18(n) because the project at issue was financed, in part, by a community facilities loan by the USDA. Piasa asserts a claim on the payment bond. The Court has supplemental jurisdiction over the remaining claims in this action pursuant to 28 U.S.C. § 1367.

IV. UNCONTROVERTED FACTS

The following facts are not disputed or have been agreed to or stipulated to by the parties:

- 1. J.P. Murray Company, Inc. d/b/a Murray Company (“Murray Company”) entered into a design-build contract with the owner of the Richland Memorial Hospital Project in Olney, Illinois (the “Owner”) to design and build a new women’s health center and to perform certain remodel work at the hospital (the “Project”).
- 2. Murray Company contracted with ACI Boland, Inc. (“ACI-Boland”), as the architect, to design the Project.
- 3. ACI-Boland in turn contracted with KPFF Consulting Engineers (“KPFF”) to provide the structural engineering design for the Project.

4. In May, 2006, Murray Company entered into a subcontract agreement with Piasa for Piasa to perform drywall, carpentry, fireproofing and related work for the Project (the "Subcontract").
5. The original sum of Piasa's Subcontract was \$446,713.00.
6. Murray Company also entered into a purchase order contract with Patriot Engineering and Environmental, Inc. ("Patriot") to provide certain inspection services for the Project.
7. F&D issued a payment bond, as surety, to the owner on which Murray Company was the principal.

The parties propose to convey these facts to the jury in the following fashion:

The Court will convey these facts to jury as agreed by the parties.

V. AGREED TO ISSUES OF LAW

The parties agree that the following are the issues to be decided by the Court:

1. Whether all, or part, of AIA-201, General Conditions, is part of the subcontract between J.P. Murray Company and Piasa Commercial Interiors, Inc.?

VI. WITNESSES

- A. List of witnesses the plaintiff expects to call, including experts.

- I. Expert witnesses:

William Pistrui
John Miller (either by deposition or as a live witness)
Charles Campisi (by deposition or as a live witness)
David Jansen
Terry Jansen
Robert Howard
Charles Schneider (**for purposes of an offer of proof)

2. Non-expert witnesses:

Richie Sligar
Robert Howard
David Jansen

Terry Jansen
Thomas Underhill (either by deposition or as a live witness)
Mark Marquart (either by deposition or as a live witness)
John O'Hara (either by deposition or as a live witness)
John Hahn (either by deposition or as a live witness)
Mickey Brownfield (by deposition)
Kyle Neely (by deposition)
David Papineau (by deposition)
Brian White (by deposition or as a live witness)
James Sherer (by deposition)
Matt Raymer

****The Court previously barred Plaintiff from calling Charles Schneider as an expert witness, as a sanction. He is identified here solely for the purpose of indicating that the Plaintiff may make an offer of proof with respect to his proposed testimony.**

B. List of witnesses Defendants expect to call, including experts:

I. Expert witnesses:

John J. O'Hara
Charles J. Campisi
John P. Miller

2. Non-expert witnesses:

John J. O'Hara
Thomas N. Underhill
John S. Hahn
Mark J. Marquart
David Allen
Steve Lichtenfeld
James Sherer (via deposition or as a live witness)
David C. Seaton, Jr. (via deposition or as a live witness)
Erik Lepes (via deposition or as a live witness)
Randall C. Sneegas (via deposition)
Jeffrey P. Williams (via deposition)
Mickey Brownfield (by deposition or as a live witness)
Kyle Neely (by deposition or as a live witness)
David Papineau (by deposition or as a live witness)
Brian White (by deposition or as a live witness)
Richard W. Sligar (via deposition or as a live witness)
Terry Jansen (via deposition or as a live witness)

Robert Howard (via deposition or as a live witness)
David Jansen (via deposition or as a live witness)
Curte Ferguson, Jr.
Randy Liley
Les Harrison

- C. Rebuttal Witnesses. The plaintiff may call rebuttal witnesses and the defendant may call sur-rebuttal witnesses as may be necessary, without prior notice thereof to the other party.

VII. EXHIBITS

Plaintiff and Defendants' Exhibit Stipulations are attached hereto.

VIII. DAMAGES

A. Piasa's Complaint

\$25,982.10 (May 2007 invoice/billing)
\$11,755.80 (June 2007 invoice/billing)
\$46,335.90 (Retainage)
\$84,073.80 (Total Damages)

Plus interest from June 21, 2007

Piasa Commercial Interiors, Inc. also claims punitive damages with respect to the conversion claim (Count III).

B. Murray Company's Counterclaim

\$102,390.14
(Cost to finish Piasa's work under the Subcontract)

\$367,652.93
(Cost incurred to investigate the scope of the problems with the fireproofing, to correct the same, and costs paid to the Owner for its delay because of problems with fireproofing).

\$470,043.07 (Total Damages)
Plus interest, attorneys' fees and costs pursuant to the Subcontract.

IX. BIFURCATED TRIAL

The parties do not request a bifurcated trial.

X. TRIAL BRIEFS

The parties will file trial brief 14 days or more before the trial date set by the Court.

XI. LIMITATIONS, RESERVATIONS AND OTHER MATTERS

- A. **Trial Date.** Trial is set for the week of November 15, 2010.
- B. **Length of Trial.** The probable length of trial is 8 days. The case will be listed on the trial calendar to be tried when reached.

Mark Appropriate Box: JURY..... X
NON-JURY.....

- C. **Number of Jurors.** There shall be a minimum of six jurors.
- D. **Voir Dire.** The Court will conduct the preliminary voir dire. Participation by counsel will be permitted. Any voir dire questions which counsel specifically want asked by the Court shall be provided to the Court prior to the panel being seated in the courtroom.
- E. **Motions in Limine.** Motions in limine shall be filed no later than twenty (20) days before the Final Pretrial Conference. Responses, if any, shall be filed within ten (10) business days thereafter. Oral argument on motions in limine will only be allowed in exceptional circumstances and will be scheduled when the Court's calendar permits. Due to the nature of motions in limine, failure to file said motions by this deadline generally will not prejudice a party's ability to move in limine prior to the jury's impanelment. Later-filed motions, however, may be stricken if their consideration would delay the timely start of the trial.
- F. **Jury Instructions.** The parties must submit jury instructions by 9:00 a.m. on the first day of trial. The parties shall tender to the Court an original and one copy of each proposed instruction. The originals shall be on 8½" x 11" plain white paper without any designation or number. The copies shall be numbered, shall indicate which party tenders them, shall contain a source (e.g., "IPI 2.01"), and shall include a legend indicating whether the instruction was:

_____ withdrawn _____ given _____ given as modified _____ refused.

If possible, instructions also should be submitted to the Court on diskette. Counsel shall provide copies of all proposed instructions to opposing counsel at or before the time they are tendered to the Court. Counsel should submit to the Court copies of any cases relied on as authority for jury instructions.

IT IS ORDERED that the Final Pretrial Order may be modified at the trial of the action, or prior thereto, to prevent manifest injustice or for good cause shown. Such modification may be made either on motion of counsel or *sua sponte* by the Court.

DATED: June 30, 2010.

/s/ *David R. Herndon*
DAVID R. HERNDON, CHIEF JUDGE
UNITED STATES DISTRICT COURT

SUBSTANCE: APPROVED AS TO FORM AND

/S/ David M. Duree, ARDC 0697087/FBN 697087
ATTORNEY FOR PLAINTIFF

/s/ Jeremy Brummond (with consent), #6276401
ATTORNEY FOR DEFENDANTS

/s/ Harold E. McKee (with consent), #6276401
ATTORNEY FOR FIDELITY & DEPOSIT
COMPANY OF MARYLAND

NOTE: Where a third-party defendant is joined pursuant to Rule 14(a) of the Federal Rules of Civil Procedure, this Order may be suitably modified. This order should be submitted as a proposed order directly to chambers (DRHpd@ilsd.uscourts.gov) with counsel's s/ signatures provided.

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
6	June 21, 2007 Termination Letter from Murray Company to Piasa (MC1856 and Bates No.61)	No objection.	
7	June 22, 2007 Fax Response of Piasa to the Termination Letter (Bates Nos. 60 and 489)	No objection.	
8	June 22, 2007 Reply of Murray Company Confirming the Termination (Bates Nos. 59 and 632)	No objection.	
9	May 3, 2007 Fax Letter from Piasa to Murray Company (Bates Nos. 67 and 749)	No objection.	
10	Blazeshield II Guide Specifications (MC3733-3734)	No objection	
11	Application Manual for Blazeshield II (Bates Nos. 671-686)	No objection.	
12	May 1, 2007 Fax Letter from Piasa to Murray Company (Bates No. 69)	No objection.	
13	April 20, 2007 Fax Letter from Piasa to Murray Company (Bates No. 138)	No objection.	
14	April 13, 2007 Fax Memo from Murray Company to Piasa with attached April 6, 2007 Testing Report from Patriot Engineering (Bates Nos. 397-403)	No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
15	July 6, 2007 Letter from David M. Duree to Murray Company (Bates Nos. 640-642)	No objection.	
16.	Design-Build Contract Between J.P. Murray Company, Inc. and Richland Memorial Hospital, Part I	(MC4780-4792) No objection.	
17	March 20, 2007 Fax Memo from John Hahn to Terry Jansen Authorizing the Patching of the Fireproofing (Deposition Exhibit 52, Bates No. 506)	No objection.	
18	Construction Schedule (Deposition Exhibit 8)	No objection.	
19	February 20, 2007 Letter From Patriot Engineering to Murray Company with Attached Inspection Reports of Fireproofing (MC2136-2151)	No objection.	
20	April 1, 2007 Letter from Patriot Engineering to Murray Company with Attached Inspection Reports (MC2152-2154)	No objection.	
21	Design-Build Contract Between J.P. Murray Company, Inc. and Richland Memorial Hospital, Part II	(MC 3638-3663) No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
22	Agreement Between Murray Company and Patriot Engineering (Deposition Exhibits 30)	No objection.	
23	Agreement Between Murray Company and Patriot Engineering (Deposition Exhibits 31)	No objection.	
24	Technical Manual 12-A, Third Edition (Bates Nos. 113-154)	Objection.	Relevance. Hearsay. Foundation. Inadmissible under Fed. R. Evid. 403
25	February 10, 2006 Memo From John Hahn to Piasa Commercial Interiors Stating That Piasa Should Bid Cafco Blaze-Shield II, Not "HP" Exhibit No. 89 (Bates Nos. 507)	No objection.	
26	Agreement Between the Architect, ACI Boland and Murray Company, Part I	(MC3862-3870) No objection.	
27	Agreement Between the Architect, ACI Boland and Murray Company, Part II	(MC 3619-MC3632) No objection.	
28	Memo from ACI Boland, the Architect, to Murray Company, 2-13-2006 (John Miller Deposition Exhibit 207)	No objection.	
29	Wave Shaped Diagram (John Miller Deposition Exhibit 201)	Objection.	Relevance, Hearsay, Foundation. Inadmissible under Fed. R. Evid. 403

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
30	Structural Steel Plan Sheet (John Miller Deposition Exhibit 208)	This is duplicative of a prior entry (#5). Please remove.	
31	Portion of Manual of Steel Construction (John Miller Deposition Exhibit 209)	No objection.	
32	Photograph (1 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Insufficient Description. No pagination on production. Defendants' reserve their right to object.	
33.	Photograph (2 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Same as #32.	
34.	Photograph (3 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Same as #32.	
35	Portion of Specifications for the Design and Fabrication of Structural Steel for Buildings, American Institute of Steel Construction (Exhibit 204 to the Deposition of John Miller)	No objection.	
36	June 7, 2007 Email From Mark Marquart (MC3275)	No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
37	April 20, 2007 Fax Message from Piasa to Murray Company (Bates No. 138)	No objection.	
38	May 3, 2007 Fax Memo from Piasa to Murray Company (Bates Nos. 67 and Exhibit J to John Hahn's Affidavit)	No objection.	
39	May 4, 2007 Memo From Murray Company to Piasa (Bates No. MC3170 and Exhibit K to John Hahn's Affidavit)	No objection.	
40	May 21, 2007 Letter From David Duree to Murray Company (Bates No. 80 and Exhibit M to John Hahn's Affidavit)	No objection.	
41	June 6, 2007 Fax Memo From Murray Company to Piasa, and Return Fax With Handwritten Notes (Bates No. MC 1833 and Exhibit Q to John Hahn's Affidavit)	No objection.	
42	June 7, 2007 Letter From David Duree to Murray Company (Bates No. MC1855 and Exhibit R to John Hahn's Affidavit)	No objection.	
43	Piasa's June 15, 2007 Notice of Lien Claim Attached to John Hahn's Affidavit and MC1835-1837)	Doc. #MC1834-1837 (no objection)	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
44	April 4, 2007 Fax Memo From David Jansen to John Hahn and Attached Handwritten Note (Bates Nos. 496-497)	No objection.	
45	April 11, 2007 Fax Memo From John Hahn to Piasa (Deposition Exhibit 46)	No objection.	
46	Demonstrative Model of the Device (a Pole with an Attached Piece of Plywood) Used for the Broom Testing, 6" X 6"	Objection.	Foundation. Improper Demonstrative. Inadmissible under Fed. R. Evid. 403.
47	Demonstrative Model of the Device (a Pole with an Attached Piece of Plywood) Used for the Broom Testing, 12" X 12"	Objection.	Foundation. Improper Demonstrative. Inadmissible under Fed. R. Evid. 403
48	Demonstrative Model of the Steel Deck (Used as a Deposition Exhibit During the Video Deposition of John Hahn	Objection.	Foundation. Relevance, Improper Demonstrative. Inadmissible under Fed. R. Evid. 403
49	Minutes of Meeting of January 17, 2006 (MC1441, et seq)	Doc. ##MC1440-1446 (no objection)	
50	Minutes of Meeting of June 18, 2006 (MC1557)	No objection.	
51	Murray Company's Pay Request No. 15	(Doc. # MC4935-4936) No objection	
52	Murray Company's Pay Request No. 16	(Doc. #MC4937-4938) No objection	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
53	Murray Company's Pay Request No. 17	(Doc. #MC4939-4941)	No objection
54	Murray Company's Pay Request No. 18	(Doc. # MC4942-MC4944)	No objection
55	April 4, 2007 Fax Memo From David Jansen to John Hahn with April 9, 2007 Handwritten Note Added and Re-Faxed (Deposition Exhibit 45)	MC1755	(no objection) – Defendants have repeatedly asked for an actual copy of Exh. 45 (retained by Plaintiff's counsel) to no avail.
56	Patriot Engineering's January 3, 2007 Daily Report (MC2490-2494)	No objection.	
57	Patriot Engineering's Daily Reports of January 9, 2007 (MC2495)	No objection.	
58	Patriot Engineering's Report of January 11, 2007 (MC2496)	No objection.	
59.	Patriot Engineering's Report of January 11, 2007 (MC2497-2500)	No objection.	
60	Patriot Engineering's Report of December 12, 2006 (MC2505-2506)	Incomplete designation of the document. Actually starts at MC2502. As designated, object that is irrelevant, and inadmissible under Fed. R. Evid. 403. Also, Plaintiff will not be able to Lay a foundation for the document.	
61	Patriot Engineering's January 16, 2007 Letter to Murray Company Confirming Testing Methods (MC2513)	No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
62	Patriot Engineering's Report of March 26 (Included in MC2156-2158)	No objection.	
63	Patriot Engineering's Report of March 28, 2007 (Included in MC2159-2160)	No objection.	
64	March 2007 Report from Patriot Engineering (MC2110-2111)	Not one document. Court rules prohibit group exhibits. Please separate. Defendants reserve the right to object.	
65	Photograph (4 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Insufficient description to evaluate. Copies produced were not paginated.	
66	February 20, 2007 Letter Reporter of Patriot Engineering to Murray Company (MC2136)	No objection.	
67	Thickness Specification Sent to Tom Underhill (Bates No. 687)	Objection.	Relevance. Not Admissible under Fed. R. Evid. 403. Hearsay. Foundation.
68	December 20, 2006 Fax Memo from Terry Jansen to Tom Underhill Concerning Worker's on the Roof (Bates No. 743)	No objection.	
69	April 20, 2007 Fax Memo From Terry Jansen to Tom Underhill (Bates Nos. 138 and 748)	No objection.	

[NOTE ON EXHIBITS 70-82: Marquart's Daily Reports should be considered one document. They are kept together and are akin to a diary. Thus, they are a multiple page exhibit. Murray Company has no objection to Piasa designating any of Marquart's daily reports, but believes that Piasa should simply designate the daily reports as one exhibit, and then simply reference the exhibit and date of the daily report when referring to the same at trial].

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
70	January 11, 2007 Daily Murray Company Construction Report (p. 52 of Deposition Exhibit 13)		
71	Murray Company Daily Construction Report for February 27, 2007 (p. 85 of Deposition of Exhibit 13)		
72	Murray Company Daily Construction Report for March 7, 2007 (p. 91 of Deposition Exhibit 13)		
73	Murray Company Daily Construction Report for March 21, 2007 (p. 101 of Deposition Exhibit 13)		
74	Murray Company Daily Construction Report for March 26, 2007 (p. 104 of Deposition Exhibit 13)		
75	Murray Company Daily Construction Report for March 28, 2007 (p. 106 of Deposition Exhibit 13)		
76	Murray Company Daily Construction Report for April 13, 2007 (p. 118 of Deposition Exhibit 13)		

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
77	Murray Company Daily Construction Report for April 23, 2007 (p. 124 of Deposition Exhibit 13)		
78	Murray Company Daily Construction Report for May 2, 2007 (p. 131 of Deposition Exhibit 13)		
79	Murray Company Daily Construction Report for May 16, 2007 (p. 141 of Deposition Exhibit 13)		
80	Murray Company Daily Construction Report for May 17, 2007 (p. 142 of Deposition Exhibit 13)		
81	Murray Company Daily Construction Report for May 18, 2007 (p. 143 of Deposition Exhibit 13)		
82	Murray Company Daily Construction Report for May 19, 2007 (p. 144 of Deposition Exhibit 13)		
83	June 6, 2007 Minutes of Between Murray Company, the Owner and the Architect (MC887-888)	No objection.	
84	August 13, 2007 Letter From Fidelity and Deposit of Maryland to David Duree (MC1667-1672)	No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
85	July 5, 2007 Letter From Tom Underhill/Murray Company to Terry Jansen/Piasa (MC1669-1670)	No objection.	
86	July 30, 2007 Letter From Tom Underhill to Fidelity and Deposit Company of Maryland (MC1672-1674)	Incomplete designation. Full copy of letter and attachments is in F&D's production. As designated, is inadmissible under Fed. R. Evid. 403.	
87	Photograph (5 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Insufficient description. Production not paginated. Defendants reserve the right to object.	
88	July 9, 2007 Letter from David Duree to Fidelity and Deposit Company of Maryland (F00292-00294)	No objection.	
89	April 20, 2007 Memo From Tom Underhill to Terry Jansen (Bates No. 140, Exhibit G to The Affidavit of John Hahn)	Bates No. 140/Exh. G omits attachments Re-designate with range that includes attachments.	
90	December 18, 2006 Request for Information Response of ACI-Boland (MC2999)	No objection.	
91	Extra Work Orders From Murray Company to Piasa (Bates Nos. 518)	No objection.	
92	April 17, 2007 Punch List (Bates Nos. 516-517)	Objection.	Relevance. Inadmissible under Fed. R. Evid. 403.

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
93	January 26, 2007 Memo From Tom Underhill to Terry Jansen with a Handwritten Fax Memo in Response (Bates No. 360)	No objection.	
94	Piasa's Labor Records for Fireproofing Work (Bates Nos. 368 and 375)	Objection.	Relevance. Inadmissible under Fed. R. Evid. 403.
95	Piasa Pay Request No. 8 for Work Piasa claims it Performed in April and May 2007, with Handwritten Calculations Added to p. 441 (Bates Nos. 441-443)	No objection.	
96	Piasa Pay Request No. 9 for Work Piasa claims it Performed in April and May 2007, (Bates Nos. 444-445)	No objection.	
97	Submittals/Shop Drawings for Blaze-Shield II, (Bates Nos. 450-487)	Objection.	Designation includes improper handwriting. Hearsay.
98	Additional Copies of Piasa's Pay Requests No. 8 and 9 With Handwritten Notes (Bates Nos. 537-538)	Objection.	Hearsay. Foundation.
99	Change Order from Murray Company to Piasa Dated May 7, 2007 (Bates Nos. 554)	No objection.	
100	January 10, 2007 Revised Response to Request for Information from ACI-Boland Regarding Fireproofing (Bates Nos. 613-615)	No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
101	July 2, 2007 Letter From David Duree to USDA With Copies to Murray Company (Bates Nos. 651-653)	No objection.	
102	June 26, 2007 Letter From David Duree to Tom Underhill (Bates Nos. 638-639)	No objection.	
103	June 27, 2007 Letter From David Duree to Richland Memorial Hospital (Bates Nos. 636-637)	No objection.	
104	Plan Sheet A3.1.1 With Attached Color Coding Showing Patching of Fireproofing	Objection.	Relevance. Inadmissible under Fed. R. Evid. 403.
105	Piasa Labor Records for Last Day Worked by Hourly Employees (Bates No. 663)	No objection.	
106	May 1, 2007 Letter From John Hahn to Patriot Engineering (MC2078)	No objection.	
107	Piasa Pay Request No. 7 submitted to Murray Company on March 20, 2007, Four Pages	J. O'Hara Exh. B (No objection).	
108	Piasa Pay Request No. 8 Submitted to Murray Company on April 19, 2007, Two Pages	Bates No. 283-284 & J. O'Hara Exh. B (No objection).	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
109	Piasa Pay Request No. 9 Submitted to Murray Company on May 18, 2007, Two Pages	Bates No. 281-282 & J. O'Hara Exh. B (No objection).	
110	March 16, 2007 Proposal, Signed by Murray Company, to Provide Fireproofing Material Patching to the Existing, Previously Constructed, Hospital Building	Objection.	Hearsay. Relevance. Foundation. Inadmissible under Fed. R. Evid. 403. Not timely produced in response to RFP.
111	March 19, 2007 Proposal From Piasa Signed by Murray Company for Extra Work to Fire Stop the Expansion Joint, One Page	Objection.	Hearsay. Relevance. Foundation. Inadmissible under Fed. R. Evid. 403. Not timely produced in response to RFP.
112	Check in payment of Exhibit 51	(Doc. #MC4768) No objection.	
113	Check in payment of Exhibit 52	(Doc. #MC4769) No objection.	
114	Check in payment of Exhibit 53	(Doc. #MC4770) No objection.	
115	Check in payment of Exhibit 54	Duplicative of #114. No need to separately designate. Please remove.	
116	Photograph (6 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Insufficient description. No pagination with production. Defendants reserve the right to object.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
117	Photograph (7 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Same as #116.	
118	Photograph (7 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Same as #116.	
119	Photograph (8 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Same as #116.	
120	Photograph (9 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Same as #116.	
121	Photograph (10 of 10) of Small Pieces of Fireproofing Material (Produced by Murray Company at its Office for Inspection and Photographing)	Same as #116.	
122	January 12, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 519)	No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
123	January 12, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 520)	No objection.	
124	March 12, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 521)	No objection.	
125	March 13, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 522)	No objection.	
126	March 19, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 523)	No objection.	
127	March 20, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 524)	No objection.	
128	March 21, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 525)	No objection.	
129	March 21, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 526)	No objection.	
130	March 21, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 527)	No objection.	

<u>No.</u>	<u>Description</u>	<u>Objection</u>	<u>Grounds for Objection</u>
131	March 21, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 528)	No objection.	
132	March 21, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 529)	No objection.	
133	March 22, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 530)	No objection.	
134	March 23, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 531)	No objection.	
135	March 26, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 532)	No objection.	
136	March 27, 2007 Extra Work Order from Murray Company to Piasa (Bates No. 533)	No objection.	

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

PIASA COMMERCIAL INTERIORS, INC.,

Plaintiff,

vs.

**J.P. MURRAY COMPANY, INC. d/b/a/
MURRAY COMPANY**

and

**FIDELITY AND DEPOSIT COMPANY OF
MARYLAND and
PATRIOT ENGINEERING AND
ENVIRONMENTAL, INC.**

Defendants.

Case NO. 3:07-CV-617-DRH-DGW

CJRA Track: B

Judge David R. Herndon

DEFENDANTS' EXHIBIT AND WITNESS LIST

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
1.	03/00/98	Isolutions document entitled "Physical Performance Standards for Spray Applied Fire Resistive Materials" dated March 1998	Pistrui Ex. 9	Yes	Hearsay, not relevant.
2.	02/00/03	Isolutions "Construction Roof Traffic" document dated February 2003	665-666 & Pistrui Exh. 7	No	
3.	00/00/00	AIA A201 1997 version	701-742	No	
4.	00/00/00	Part II Agreement Between Owner and Design-Build Contractor	MC3638-MC3663	No	

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUNDS
5.	00/00/00	<p>Pictures of project, delaminated fireproofing, or areas where delamination occurred.</p> <p>28</p>	MC4102	Yes	<p>Exhibits 5-97 are duplicative, not relevant, and barred because of spoliation of evidence.</p> <p>Murray Company barred Piasa from the project on and after June 22, 2007, then performed the “broom test” destructive testing, then removed the remainder of the fireproofing on the roof deck without providing Piasa an opportunity to inspect during that period. No foundation showing when, or by whom, the photographs were taken. The photographs were taken after broom tests (nailing a piece of plywood to the top of a 2” X 2” pole, which is pushed against the fireproofing on the underside of the roof deck). The broom test is not an accepted method of testing fireproofing. There are no standards for the test. It is not recognized as an acceptable test. It is also a destructive test.</p>

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
5.	00/00/00	Continued from page 2- Exhibit 5	MC4102	Yes	These Exhibits are also barred by Federal Fed.R. Evid. 403
6.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4103	Yes	Same Objection.
7.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4104	Yes	Same Objection.
8.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4105	Yes	Same Objection.
9.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4106	Yes	Same Objection.
10.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4107	Yes	Same Objection.
11.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4108	Yes	Same Objection.
12.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4109	Yes	Same Objection.
13.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4110	Yes	Same Objection.
14.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4111	Yes	Same Objection.
15.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4112	Yes	Same Objection.
16.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4113	Yes	Same Objection.
17.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4114	Yes	Same Objection.
18.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4115	Yes	Same Objection.
19.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4116	Yes	Same Objection.
20.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4117	Yes	Same Objection.
21.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4118	Yes	Same Objection.
22.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4119	Yes	Same Objection.
23.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4120	Yes	Same Objection.
24.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4121	Yes	Same Objection.
25.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4122	Yes	Same Objection.
26.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4123	Yes	Same Objection.
27.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4124	Yes	Same Objection.

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
28.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4125	Yes	Same Objection.
29.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4126	Yes	Same Objection.
30.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4127	Yes	Same Objection.
31.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4128	Yes	Same Objection.
32.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4129	Yes	Same Objection.
33.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4130	Yes	Same Objection.
34.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4131	Yes	Same Objection.
35.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4132	Yes	Same Objection.
36.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4133	Yes	Same Objection.
37.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4134	Yes	Same Objection.
38.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4135	Yes	Same Objection.
39.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4136	Yes	Same Objection.
40.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4137	Yes	Same Objection.
41.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4138	Yes	Same Objection.
42.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4139	Yes	Same Objection.
43.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4140	Yes	Same Objection.
44.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4141	Yes	Same Objection.
45.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4142	Yes	Same Objection.
46.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4143	Yes	Same Objection.
47.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4144	Yes	Same Objection.
48.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4145	Yes	Same Objection.
49.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4146	Yes	Same Objection.
50.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4147	Yes	Same Objection.
51.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4148	Yes	Same Objection.

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
52.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4149	Yes	Same Objection.
53.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4150	Yes	Same Objection.
54.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4151	Yes	Same Objection.
55.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4152	Yes	Same Objection.
56.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4153	Yes	Same Objection.
57.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4154	Yes	Same Objection.
58.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4155	Yes	Same Objection.
59.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4156	Yes	Same Objection.
60.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4157	Yes	Same Objection.
61.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4158	Yes	Same Objection.
62.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4159	Yes	Same Objection.
63.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4160	Yes	Same Objection.
64.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4161	Yes	Same Objection.
65.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4162	Yes	Same Objection.
66.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4163	Yes	Same Objection.
67.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4164	Yes	Same Objection.
68.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4165	Yes	Same Objection.
69.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4166	Yes	Same Objection.
70.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4167	Yes	Same Objection.
71.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4168	Yes	Same Objection.
72.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4169	Yes	Same Objection.
73.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4170	Yes	Same Objection.
74.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4171	Yes	Same Objection.
75.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4172	Yes	Same Objection.

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
76.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4173	Yes	Same Objection.
77.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4174	Yes	Same Objection.
78.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4175	Yes	Same Objection.
79.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4176	Yes	Same Objection.
80.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4177	Yes	Same Objection.
81.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4178	Yes	Same Objection.
82.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4179	Yes	Same Objection.
83.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4180	Yes	Same Objection.
84.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4181	Yes	Same Objection.
85.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4182	Yes	Same Objection.
86.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4183	Yes	Same Objection.
87.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4184	Yes	Same Objection.
88.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4185	Yes	Same Objection.
89.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4186	Yes	Same Objection.
90.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4187	Yes	Same Objection.
91.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4188	Yes	Same Objection.
92.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4189	Yes	Same Objection.
93.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4190	Yes	Same Objection.
94.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4191	Yes	Same Objection.
95.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4192	Yes	Same Objection.
96.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4193	Yes	Same Objection.
97.	00/00/00	Pictures of project, delaminated fireproofing, or areas where delamination occurred.	MC4194	Yes	Same Objection.
98.	00/00/00	Blaze Shield II Short Form Application Guide	MC2098-MC2099 & MC2268- MC2269	No	

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
99.	00/00/00	Model specification for SFRM From Isolotek's Website	Pistruoi Exh. 5	Yes	Not relevant. These specifications were not issued for this project.
100.	00/00/00	Mark Marquart's handwritten timeline of events	MC3310 & 745	Yes	Hearsay, no foundation
101.	00/00/00	Contract between ACI Boland and Murray Company (Part II)	MC3619-MC3632	No	
102.	00/00/00	AIA Document B901, standard form of agreement between design builder and architect (Part I)	MC3862-MC3870	Yes	No foundation.
103.	00/00/00	Attachment C to AIA document A191 standard form of Agreement between Owner and Design Builder	MC3660-MC3663	Yes	No foundation.
104.	00/00/00	Blaze Shield II Specification Document	MC3733-MC3734 & MC2085	No	
105.	00/00/00	Payment Bond No. 8751935	39-43	No	
106.	00/00/00	Piasa Certified Payroll Report for Project	199-273	No	
107.	00/00/00	Piasa pay application No. 9	281-282 & J. O'Hara Aff. Exh. B	No	
108.	00/00/00	Piasa pay application No. 8	283-284 & J. O'Hara Aff. Exh. B	No	
109.	00/00/00	Piasa pay application No. 7	285 & J. O'Hara Aff. Exh. B	No	
110.	00/00/00	Piasa pay application No. 6	286 & J. O'Hara Aff. Exh. B	No	
111.	00/00/00	Piasa pay application No. 5	287 & J. O'Hara Aff. Exh. B	No	
112.	00/00/00	Piasa pay application No. 4	288 & J. O'Hara Aff. Exh. B	No	
113.	00/00/00	Piasa pay application No. 3	289 & J. O'Hara Aff. Exh. B	No	
114.	00/00/00	Piasa pay application No. 2	290 & J. O'Hara Aff. Exh. B	No	
115.	00/00/00	Piasa pay application No. 1	291 & J. O'Hara Aff. Exh. B	No	
116.	00/00/00	Pay application No. 9 with handwritten notes re amounts claimed to Piasa	441-442	No	
117.	00/00/00	Piasa Accounts Receivable Report	443	No	
118.	00/00/00	Unsigned pay application No. 8; includes both pages	444-445	No	
119.	00/00/00	Proposed Subcontract Agreement for removal of spray on fireproofing	646-650 & 621-624	No	
120.	00/00/00	Blaze Shield II Application & Installation manual (2002)	671-686 & USM 65-USM 80	No	

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
121.	00/00/00	ASTM Designation E759-92 standard test method for effect of deflection on sprayed fire resistive material by the structural members document	Def.'s Dep. Ex. 24	Yes	Not relevant, laboratory test.
122.	00/00/00	ASTM Designation E761-92 standard test method for compressive strength of sprayed fire resistive material applied to structural members document	Def.'s Ex. 26	Yes	Not relevant.
123.	00/00/00	Cafco Short Form Application Guide For Bond Seal	Def.'s Ex. 70, USM80	Yes	Not relevant.
124.	00/00/00	American National Standards Institute/Steel Deck Institute RD1.0-2006 standard for steel roof deck	Pistrui Ex. 6	No	
125.	00/00/00	Sections of prior version of Blaze Shield II application and installation manual located in data considered by Charles Campisi	Data Considered by C. Campisi	Yes	Not relevant. This Exhibit was superceded by subsequent manuals.
126.	08/08/05	Letter dated August 8, 2005 from ACI Boland to John O'Hara enclosing executed agreement between Design Builder and architect	MC3861-MC3870	No	
127.	12/27/05	Letter from John O'Hara to ACI Boland dated December 27, 2005, enclosing executed Part II of agreement between design builder and architect	MC3876-MC3890	No	
128.	01/03/06	Project Manual for the new Women's Health Center and front entrance at Richland Memorial Hospital Dated January 3, 2006 (Volume 1)	Def's Exh. 10 (Tab 3)	No objection if this is the same as Plaintiff's Exhibit 4.	
129.	01/03/06	Special conditions for the new Women's Health Center and front entrance dated January 3, 2006	Def's Exh. 10 (Tab 3)	No objection if this is the same as Plaintiff's Exhibit 4	
130.	02/06/06	Construction Schedule dated February 6, 2006	MC1206-MC1207	Yes	Not relevant.

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
131.	04/14/06	Subcontract Agreement dated April 14, 2006	70-75 & J.O'Hara Aff. Exh. C	No objection to the subcontract agreement attached to the affidavit of John Hahn as Exhibit A (not Exhibit C) dated May 14, 2006 (not April 14). See also Plaintiff's Exhibit 1	
132.	04/17/06	Transmittal letter from ACI Boland to Murray Company dated April 17, 2006 (with attachments/enclosures), transmitting three copies of a roofing submittal	Pl.'s Dep. Ex. 64	No	
133.	06/18/06	Meeting notes from a meeting on June 18, 2006 with Code Consultants	MC1557	Yes	Hearsay
134.	06/30/06	Transmittal letter to Terry Jansen from John Hahn with attached fireproofing submittal.	450-474	No	
135.	10/06/06	Fax from Tom Underhill to subcontractors	MC1201	No	
136.	10/11/06	Fax from Terry Jansen to John Hahn	302	No	
137.	10/12/06	Subcontractors meeting minutes number 11 from meeting dated October 12, 2006	MC1189-MC1192	No	
138.	10/12/06	Fax from Terry Jansen to John Hahn	333	No	
139.	10/13/06	Construction Schedule	664	No objection if this is the same as Plaintiff's Exhibit 18	
140.	10/18/06	Letter from Bob Howard to John Hahn	566-568	No	
141.	11/09/06	Subcontractor Meeting Agenda (including Three Week schedule)	599-600	Yes	Not relevant.
142.	11/21/06	Isolatek invoice for bond seal shipped November 21, 2006	198	No	
143.	11/29/06	Isolatek invoice to Piasa dated November 29, 2006	198 & USM1	No	
144.	12/12/06	Daily report of M. Brownfield dated December 12, 2006 attaching thickness reports	MC2192-MC2195 & MC2240-MC2243 & MC2486-MC2487 & MC3002-MC3005 & 376-379	No	
145.	12/14/06	Three week schedule dated December 14, 2006	MC1163-MC1164	Yes	Not relevant.

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
146.	12/18/06	E-mail from Tom Underhill to Mark Marquart and John Hahn dated December 18, 2006 enclosing ACI Boland's response to Request for Information no. 108	MC2997-MC2999	No	
147.	12/28/06	Piasa Work Order dated 12/28/2006	MC1946 & 293	No	
148.	01/03/07	Fax from David Jansen to Murray Company dated January 3, 2007	MC1761 & 574 & 744	No	
149.	01/03/07	Daily report of M. Brownfield dated January 3, 2007 enclosing tests for fireproofing thickness.	MC2197-MC2201 & MC2490-2494 & 380, 385-388.	No	
150.	01/04/07	E-mail from Tom Underhill to Mark Marquart dated January 4, 2007	MC2995	No	
151.	01/05/07	Isolatek International Invoice for fireproofing shipped January 5, 2007	197	No	
152.	01/08/07	Memo from Tom Underhill to Terry Jansen	MC1760 & MC1968 & 603	No	
153.	01/08/07	Memo from Tom Underhill to Mick Brownfield	MC2313	No	
154.	01/08/07	Reminder Memo to subcontractors from John Hahn	MC3146	No	
155.	01/09/07	Daily report of Mick Brownfield dated	389 & MC2484	No	
156.	01/10/07	Memo to subcontractors from Tom Underhill attaching three-week schedule	MC3147 & 589-590	Yes	Not relevant.
157.	01/11/07	Meeting minutes number 31 from meeting on January 11, 2007	MC1133-MC1137	Yes	Hearsay, not relevant.
158.	01/11/07	Test report of thicknesses for fireproofing dated January 11, 2007	MC2150 & MC2204 & MC2498 & 390-393	No	
159.	01/11/07	Invoice from Isolatek to Piasa dated January 11, 2007	197 & USM2	No	
160.	01/11/07	Isolatek invoice dated January 11, 2007	USM3	No	
161.	01/12/07	Piasa Work Order dated January 12, 2007	294	No	
162.	01/25/07	Three-week schedule dated January 25, 2007	151-152	Yes	Not relevant
163.	01/26/07	Memo to Terry Jansen and others regarding revision number 72 (contains handwritten note rejecting change work)	MC1756	No	Not relevant.
164.	01/26/07	Memo to Terry Jansen from Tom Underhill regarding revision number 68 (contains handwritten note rejecting change work)	MC1757	No	
165.	01/26/07	Memo from Tom Underhill to Terry Jansen regarding revision number 66 (contains handwritten note rejecting change work)	MC1758 & 141 & 360 & 609	No	
166.	01/26/07	Memo from Tom Underhill to Terry Jansen, et al. regarding revision number 65	MC1759	No	
167.	02/05/07	Fax from John Hahn to subcontractors.	& 146-147	No	
168.	02/08/07	Meeting minutes number 33 from meeting on February 8, 2007	MC1110-MC1114	Yes	Hearsay, not relevant.

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
169.	02/19/07	Three-week schedule for February 19, 2007 to March 9, 2007	591-593	Yes	Not relevant.
170.	02/20/07	Fax from John Hahn to subcontractors	MC1106 & 381-384	No	
171.	02/20/07	Letter from Tim Govert to Tom Underhill dated February 20, 2007 enclosing test results.	MC2136-MC2145	No	
172.	02/22/07	Transmittal letter from John Hahn to Terry Jansen dated February 22, 2007, enclosing fireproofing thickness reports from December 12, 2006 to January 11, 2007	394	No	
173.	03/01/07	E-mail chain from John Hahn to Mark Marquart	MC2987-MC2988	Yes	Hearsay.
174.	03/05/07	Fax from John Hahn to subcontractors	MC1095 & 594-596	No	
175.	03/05/07	E-mail chain from Tom Underhill to Mark Marquart	MC2983-MC2984	Yes	Hearsay.
176.	03/05/07	E-mail from Mark Marquart to Tom Underhill enclosing pictures of delaminated fireproofing	MC3068-MC3070	Yes	Hearsay, no foundation.
177.	03/05/07	Reminder memo to subcontractors from John Hahn dated March 5, 2007	MC3144	No	
178.	03/05/07	Three-week schedule for March 5, 2007 to March 23, 2007	MC1076-MC1078 & MC1096-MC1097	Yes	Not relevant
179.	03/08/07	Meeting minutes number 35 from meeting on March 8, 2007	MC1083-MC1087	Yes	Hearsay.
180.	03/16/07	Daily report of Kyle Neely	MC2100 & MC2252	No	
181.	03/16/07	Typewritten daily report of Kyle Neely	MC2111	No	
182.	03/19/07	Three-week schedule for March 19, 2007 to April 6, 2007	MC1093-MC1094	Yes	No foundation.
183.	03/20/07	Fax from John Hahn to subcontractors	MC1074 & 148-150	No	
184.	03/20/07	Memo to Terry Jansen from John Hahn	MC3163 & 506	No	
185.	03/22/07	Meeting minutes number 36 from meeting on March 22, 2007	MC1061-MC1066	Yes	Hearsay.
186.	03/26/07	Daily report of Kyle Neely dated March 26, 2007	MC2101 & MC2253	No	
187.	03/26/07	Typewritten daily report of Kyle Neely dated March 26, 2007	MC2109 & MC2516	No	
188.	03/27/07	Memo from John Hahn to David Jansen re Change Proposal 111	562-564	No	
189.	04/01/07	Letter from Tim Govert to Tom Underhill enclosing test results	MC2152-MC2154	No	
190.	04/02/07	Three-week schedule from April 2, 2007 to April 20, 2007	MC1072-MC1073 & 597-598	Yes	No foundation.

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
191.	04/03/07	Memo from John Hahn to subcontractors attaching three-week schedule	MC3148	Yes	No foundation for the schedule.
192.	04/04/07	Fax to John Hahn from David Jansen	496	No	
193.	04/04/07	Memo from John Hahn to David Jansen re Change Proposal 118	556-558	No	
194.	04/04/07	Piasa proposal dated April 4, 2007, responding to Change Proposal 118	559	No	
195.	04/05/07	Meeting minutes number 37 from meeting on April 5, 2007	MC1039-MC1044	Yes	Hearsay.
196.	04/06/07	Letter from Tim Govert to Tom Underhill enclosing test results	MC2155-MC2160	No	
197.	04/09/07	Fax from Dave Jansen to John Hahn dated April 4, 2007 (document has handwritten note dated 4/9/07)	MC1755 & MC1954 & 353	No	
198.	04/10/07	Memo from Terry Jansen to John Hahn dated April 9, 2007 (contains Terry Jansen's handwritten return fax dated April 10, 2007)	MC1990	No	
199.	04/11/07	Fax from John Hahn to Terry Jansen	MC1754 & 354	No	
200.	04/13/07	Proposal from Piasa to Murray Company	MC1753 & 142 & 359 & 746	No	
201.	04/13/07	Memo to Terry Jansen from John Hahn enclosing inspection report on fireproofing	405-411 & 397-403	No	
202.	04/16/07	Three-week schedule from April 16, 2007 to May 4, 2007	MC1037-MC1038	Yes	No foundation
203.	04/17/07	Reminder memo to subcontractors from John Hahn	MC3143 & 569-572	Yes	No foundation for the attachment.
204.	04/18/07	Fax to Terry or Dave Jansen from Mark Marquart enclosing e-mail regarding scheduling items	MC1749-MC1750 & 328-329 & 357-358	No	
205.	04/18/07	Fax from Terry Jansen to Tom Underhill dated April 18, 2007	MC1751 & 137 & 355	No	
206.	04/18/07	Fax from Tom Underhill to Terry Jansen dated April 18, 2007	MC1752	No	
207.	04/18/07	E-mail dated April 18, 2007 from Mark Marquart to Tom Underhill with Terry Jansen's handwritten comments	MC1952	No	
208.	04/18/07	Fax to Terry Jansen from Tom Underhill dated April 18, 2007 (handwritten comments)	MC1979 & 332	No	
209.	04/18/07	E-mail from Mark Marquart to B&S Plumbing dated April 18, 2007 enclosing photos of fireproofing that fell under rooftop unit	MC3047-MC3051	No	
210.	04/18/07	Fax to Terry Jansen from Tom Underhill dated April 18, 2007, with various handwritten notes including notes re phone calls by Terry Jansen	330-331	No	

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
211.	04/19/07	Meeting minutes number 38 from meeting on April 19, 2007	MC1024-MC1029	Yes	Hearsay.
212.	04/20/07	Fax from Terry Jansen to Tom Underhill dated April 20, 2007	138, 611 & 748	No	
213.	04/20/07	Memo to Terry Jansen from Tom Underhill dated April 20, 2007	327, 356 & 747	No	
214.	04/24/07	E-mail from Mark Marquart to Tom Underhill regarding critical dates and times relating to fireproofing	MC3041-MC3042	Yes	Hearsay, no foundation.
215.	04/24/07	E-mail from Mark Marquart to Tom Underhill	MC1598-MC1599	Yes	Hearsay
216.	04/26/07	E-mail from Mark Marquart to Tom Underhill and John Hahn enclosing pictures of fireproofing which fell in storage 105	MC3032-MC3034	Yes	Hearsay
217.	04/26/07	Transmittal letter from ACI Boland to Murray Company, transmitting fireproofing submittal	Pl.'s Ex. 66	No	
218.	04/30/07	E-mail from Mark Marquart to Tom Underhill dated April 30, 2007	MC1608	Yes	Hearsay
219.	04/30/07	E-mail from Mark Marquart to Tom Underhill dated April 30, 2007	MC3028	Yes	Hearsay
220.	04/30/07	Three-week schedule dated April 30, 2007 to May 18, 2007	MC1004	Yes	No foundation.
221.	05/01/07	Fax from Terry Jansen to Tom Underhill	MC1892 & 69 & 436 & USM 14	No	
222.	05/03/07	Meeting minutes number 39 from meeting on May 3, 2007	MC978-MC981	Yes	Hearsay
223.	05/03/07	Fax from Terry Jansen to Tom Underhill	MC1891 & 67 & 361 & 438 & 749 & USM 16	No	
224.	05/04/07	Memo from Tom Underhill to Terry Jansen dated May 4, 2007	MC3170	No	
225.	05/05/07	Fax from Tom Underhill to Terry Jansen dated May 7, 2007	MC1893 & 619 & MC 3171	No	
226.	05/07/07	Handwritten fax from Terry Jansen to Randy Sneegas dated May 7, 2007, written on memo from Tom Underhill dated May 7, 2007	618	No	
227.	05/08/07	Piasa daily report with handwritten note regarding last work	663	No	
228.	05/08/07	Time ticket for week ending May 8, 2007	663	No	
229.	05/14/07	Three-week schedule from May 14, 2007 to June 1, 2007	143-145	Yes	No foundation.
230.	05/15/07	Change order No. 1 dated May 15, 2007	554-555	No	
231.	05/16/07	Handwritten notes of Randy Sneegas from conversation with Dave Jansen on May 16, 2007	USM12	Yes	Hearsay, no foundation.

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
232.	05/17/07	Meeting minutes number 40 from a meeting on May 17, 2007	MC954-MC957	Yes	Hearsay
233.	05/19/07	Charles Campisi's field inspection report	MC82-MC90	Yes	Hearsay, no foundation.
234.	05/19/07	Letter from Randy Sneegas to Jeff Williams dated May 19, 2007	USM18	Yes	Hearsay, no foundation.
235.	05/19/07	Photo No. 1 referenced in Charles Campisi's field inspection report dated May 19, 2007	Data Considered by C. Campisi	No	
236.	05/19/07	Photo No. 2 reference in Charles Campisi's field inspection report dated May 19, 2007	Data Considered by C. Campisi	No	
237.	05/19/07	Photo No. 3 referenced in Charles Campisi's field inspection report dated May 19, 2007	Data Considered by C. Campisi	No	
238.	05/19/07	Photo No. 4 referenced in Charles Campisi's field inspection report dated May 19, 2007	Data Considered by C. Campisi	No	
239.	05/19/07	Photo No. 5 referenced in Charles Campisi's field inspection report dated May 19, 2007	Data Considered by C. Campisi	No	
240.	05/19/07	Photo No. 6 referenced in Charles Campisi's field inspection report dated May 19, 2007	Data Considered by C. Campisi	No	
241.	05/21/07	E-mail from John Hahn to Charles Campisi	MC36	Yes	Hearsay
242.	05/21/07	Letter to Tom Underhill from David Duree	80-81	No	
243.	05/22/07	Fax to Chuck Campisi from John Hahn dated May 22, 2007	MC35	Yes	Hearsay
244.	05/23/07	Handwritten fax to Piasa with information re areas to be completed	MC1684	Yes	No foundation.
245.	05/23/07	Fax from Murray Company to Piasa dated May 23, 2007	539 & MC1684	No	
246.	05/29/07	Notes from on-site meeting by Tom Underhill	MC58-MC59	Yes	Hearsay, no foundation.
247.	05/31/07	Meeting minutes number 41 from meeting on May 31, 2007	MC942-MC945	Yes	Hearsay, no foundation.
248.	05/31/07	E-mail from Brian White to John Hahn	MC3279	Yes	Hearsay
249.	05/31/07	Three week schedule fax to Piasa	MC1685	Yes	No foundation.
250.	05/31/07	E-mail from Brian White to John Hahn	Pl.'s Ex. 68	Yes	Hearsay
251.	06/01/07	E-mail to Phil Mancuso from Randy Sneegas	USM19	Yes	Hearsay
252.	06/05/07	Letter from Phil Mancuso to Terry Jansen dated	134-135	Yes	Hearsay
253.	06/06/07	E-mail chain from Tom Underhill to C.J. Campisi	MC9-MC10	Yes	Hearsay
254.	06/06/07	Fax to Terry Jansen from John Hahn with Terry Jansen's handwritten response on bottom	MC1833 & 415 & 750	No	
255.	06/06/07	John Hahn's fax to Terry Jansen	MC1842 & 133 & 416-417 & MC 1686 & MC3173 & 65	Yes	No foundation.
256.	06/07/07	David Duree's letter to Tom Underhill	MC1855	No	
257.	06/07/07	E-mail from Mark Marquart to Tom Underhill	MC3275	Yes	Hearsay

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
258.	06/08/07	E-mail from C.J. Campisi to Tom Underhill and John Hahn with attached letter	MC47-MC48	Yes	Hearsay
259.	06/08/07	Letter to Murray Company from C.J. Campisi	MC80	Yes	Hearsay
260.	06/11/07	Randy Sneegas' notes from conversation with Jeff Williams on June 11, 2007	USM28	Yes	Hearsay
261.	06/11/07	Three-week schedule for June 11, 2007 to June 29, 2007	MC941	Yes	No foundation.
262.	06/11/07-06/12/07	Daily report of Jason Craig from June 12, 2007 and June 11, 2007	MC4333	Yes	Hearsay, no foundation, not relevant.
263.	06/14/07	E-mail from C.J. Campisi to John Hahn	MC18	Yes	Hearsay
264.	06/14/07	Meeting minutes number 42 from meeting on June 14, 2007	MC881-MC886	Yes	Hearsay
265.	06/15/07	Fax from David Duree to Les Harrison, et al. enclosing notice of lien claim	MC1834-MC1837 & 431-434	No	
266.	06/15/07	Unsigned letter from Jim Sherer to John Hahn enclosing broom testing results	MC2161-MC2162	Yes	Hearsay, no foundation, not relevant.
267.	06/15/07	Letter from Jim Sherer to John Hahn enclosing broom testing results	MC2220-MC2221 & MC2226-MC2227	Yes	Hearsay, not relevant, no foundation.
268.	06/15/07	Randy Sneegas' notes from conversation with Terry Jansen on June 15, 2007	USM27	Yes	Hearsay, no foundation.
269.	06/18/07	Letter to Terry Jansen from Jeff Williams	396 & 777 & USM25	Yes	Hearsay, no foundation.
270.	06/19/07	E-mail from Mark Marquart to John Hahn and Tom Underhill enclosing pictures of fireproofing which fell on June 19	MC3010-MC3016	Yes	Hearsay.
271.	06/19/07	E-mail from Mark Marquart to John Hahn and Tom Underhill dated June 19, 2007 enclosing pictures of delaminated fireproofing	MC3266-MC3272	Yes	Hearsay
272.	06/21/07	E-mail from John Meadows to John Hahn, forwarded to Tom Underhill on June 21, 2007	MC1559	Yes	Hearsay
273.	06/21/07	Letter from Thomas Underhill to Terry Jansen enclosing various three-week schedules	MC1856-MC1860 & 490-495	Yes	There is no foundation for the attached schedule.
274.	06/21/07	E-mail from John Hahn to John O'Hara and Tom Underhill containing spreadsheet of replacement scenarios for fireproofing	MC3137-MC3138 & MC1560	Yes	Hearsay
275.	06/22/07	Fireproofing and replacement scenarios comparison document, with handwritten comments	MC15161-MC1562	Yes	Hearsay, no foundation.
276.	06/24/07	Marquart's timeline of fireproofing events	MC1595	Yes	Hearsay, no foundation.

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
277.	06/25/07	Letter from John Hahn to Charles Campisi	MC65	Yes	Hearsay.
278.	06/25/07	Draft fireproofing replacement scenarios comparison document	MC1563-MC1564	Yes	Hearsay, no foundation.
279.	06/25/07	Memo to Harvey Pettry from Tom Underhill	MC1585-MC1590	Yes	Hearsay, no foundation.
280.	06/25/07	Notes from meeting on July 24, 2007 with Code Consultants and ACI Boland	MC1591-MC1592	Yes	Hearsay, no foundation.
281.	06/26/07	Letter from David Duree to Tom Underhill	MC1831-MC1832 & 625 & 638-639	No	
282.	06/27/07	Faxed memo to John Hahn from Jim Sherer at Patriot Engineering attaching bond and thickness test results	MC121-MC124	Yes	Hearsay, no foundation, not relevant. The tests were also done at a time when Piasa was denied access to the project and to the tested material.
283.	06/27/07	David Duree's letter to Les Harrison	MC1829-MC1830 & 634	No	
284.	06/27/07	Unsigned letter from Jim Sherer to John Hahn enclosing adhesion-cohesion test and thickness test	MC2164-MC2171	Yes	Hearsay, not relevant, no foundation. Tests were done when Piasa was denied access to the project and fireproofing material.
285.	06/27/07	Letter from Jim Sherer to John Hahn enclosing adhesion-cohesion test and thickness test	MC2222-MC2225	Yes	Same objection as the preceding Exhibit.
286.	06/28/07	Meeting minutes number 43 from meeting dated June 28, 2007	MC894-MC898	Yes	Hearsay
287.	06/29/07	Letter from ACI Boland to David Duree	MC3475	No	
288.	07/02/07	Letter from David Duree to Tom Byers, USDA Rural Development	MC1826-MC1828 & 94-97 & 651-653	No	
289.	07/02/07-07/03/07	Code Consultants letter dated July 2, 2007, revised July 3, 2007	MC899-MC904	Yes	Hearsay, no foundation.
290.	07/05/07	Letter from Tom Underhill to Terry Jansen	84-86 & MC1868-MC1869	No	
291.	07/06/07	Letter from David Duree to Tom Underhill	MC1823-MC1825 & 77-79 & 640-642 & 643-645	No	

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
292.	07/06/07	Letter of transmittal from Tom Underhill to David Duree, enclosing performance and payment bonds	76	No	
293.	07/06/07	Fax to David Duree from Tom Underhill enclosing Tom Underhill's July 5 letter and proposed subcontract	87-93	No	
294.	07/09/07	Letter from David Duree to Fidelity and Deposit Company of Maryland	654-656	No	
295.	07/11/07	Letter to David Duree from Curte Ferguson	50	No	
296.	08/17/06-07/12/07	Murray Company Daily Construction Report Binder Dated August 17, 2006 to July 12, 2007	N/A (MC Depo. Exh. 1)	Yes	Contains many hearsay statements. Many of the pages are without foundation.
297.	07/12/07	Meeting minutes number 44 from meeting on July 12, 2007	MC870-MC875	Yes	Hearsay
298.	07/18/07	Curte Ferguson's letter to Tom Underhill	MC1693	Yes	Hearsay
299.	07/26/07	Meeting minutes number 45 from meeting on July 26, 2007	MC908-MC912	Yes	Hearsay
300.	07/27/07	C.J. Campisi's Report	MC66-MC68	Yes	Hearsay, no foundation.
301.	07/30/07	Randy Sneegas' notes from conversation with Terry Jansen at Piasa on July 30, 2007	USM42	Yes	Hearsay, no foundation.
302.	07/05/07-07/30/07	Tom Underhill's letter to Curte Ferguson with enclosures, including July 5, 2007 letter and other documentation	MC1672-MC1689	Yes	Hearsay
303.	08/02/07	E-mail from Randy Liley to John O'Hara, Tom Underhill and Karen Nade attaching pictures of ceiling removal progress	MC3141	Yes	No foundation. The photographs also appear to have been taken after the broom test and during a period when Piasa was barred from the project. Same objection as previously stated to Exhibits 5-97.
304.	08/09/07	Meeting minutes number 46 from meeting on August 9, 2007	MC845-MC849	Yes	Hearsay, not relevant, no foundation.
305.	08/13/07	August 13 letter to David Duree from Curte Ferguson	MC1667-MC1671 & 52-53	No	
306.	08/20/07	E-mail from Tom Underhill to Thom at Environmental Care	Pl.'s Ex. 68	Yes	Hearsay, not relevant.

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
307.	08/22/07	Fax from Brian White to Murray Company enclosing concurrence letter	Pl.'s Ex. 68	Yes	Hearsay.
308.	08/23/07	Meeting minutes number 47 from meeting dated August 23, 2007	MC841-MC844	Yes	Hearsay
309.	09/06/07	Meeting minutes number 48 from meeting dated September 6, 2007	MC833-MC836	Yes	Hearsay.
310.	09/06/07	Memo to David Duree from Tom Underhill	54	No	
311.	09/17/07	Memo from Tom Underhill to Harvey Pettry	MC1600-MC1606	Yes	Hearsay.
312.	09/20/07	Meeting minutes number 49 from meeting dated September 20, 2007	MC825-MC828	Yes	Hearsay.
313.	01/17/08	Letter from John O'Hara to Harvey Pettry dated January 17, 2008	MC763-MC764	Yes	Hearsay.
314.	11/05/08	Randy Sneegas' notes from conversation with Terry Jansen on November 5, 2008	USM 64	Yes	No foundation, hearsay.
315.	04/22/10	John Miller's steel deck calculations for SDI construction loans located	Exhibit B to J. Miller's Expert Report	Yes	No foundation.
316.	04/22/10	Roof deck span map.	Exhibit D to J. Miller's Expert Report	Yes	No foundation.
317.	04/22/10	A lateral load distribution study of the concentrated load on roof deck.	Exhibit E to J. Miller's Expert Report	Yes	No foundation.
318.	06/26/06	Roof framing plan sheet S.2.2. Last date on document was June 26, 2006.	N/A	No objection if this is simply one of the plan sheets that are included in Plaintiff's Exhibit 5	
319.	00/00/00	Reflected Ceiling Plan for first floor (A3.1.1) with markings regarding areas where fireproofing had fallen pre-broom testing.	N/A	Yes	The plan sheet was marked after the broom test during a period when Piasa was denied access to the project. No foundation. Same objection as stated to Exhibits 5-97.

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
320.	00/00/00	Reflected Ceiling Plan for first floor Plan Sheet (A3.1.1) with markings regarding areas where fireproofing failed broom and cap testing.	N/A	Yes	The plan sheet was marked after the broom test during a period when Piasa was denied access to the project. No foundation. Same objection as stated to Exhibits 5-97.
321.	05/07/07	Piasa Change Order No. 1 dated May 7, 2007.	554	No	
322.	06/21/05	Standard Form of Agreement Between Owner and Design-Build (Part I Agreement)	MC4780-MC4792	No objection if this is part of Plaintiff's Exhibit 16.	
323.	08/25/05	Letter from John O'Hara to Harvey Pettry enclosing various documents, including revised Part I Agreement.	MV4820-MC4837	Yes	Hearsay, not relevant.
324.	10/21/05	Letter from John O'Hara to Harvey Pettry enclosing originals of Part II Agreement between Richland Memorial Hospital and Murray Company.	MC4838-MC4859	Yes	Hearsay, not relevant.
325.	00/00/00	Change Order No. 1 to Part I Agreement between Owner and Design-Builder.	MC4871-MC4872	Yes	Not relevant, no foundation.
326.	00/00/00	Change Order No. 1 to Part II Agreement between Owner and Design-Builder.	MC4873-MC4874	Yes	Not relevant, no foundation.
327.	00/00/00	Change Order No. 2 to Part II Agreement between Owner and Design-Builder.	MC4875-MC4876	Yes	Not relevant, no foundation.
328.	05/18/07	Letter from Thomas Underhill to Harvey Pettry enclosing Change Order No. 3 to Part II Agreement between Design-Builder and Owner.	MC4877-MC4879	Yes	Not relevant, no foundation.

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUNDS
329.	10/19/07	<p>Check from Murray Co. to AALCO Wrecking Company, Inc. for Invoice Nos. 10058.05-.07</p> <p>46</p>	MC4334	Yes	<p>Plaintiff objects to Defendants' Exhibits 329-733 as not relevant, no foundation, hearsay, not relevant to any claimed failures of Piasa Commercial to properly perform its subcontract work. These Exhibits all relate to work allegedly performed after Piasa was ordered off the project and barred from examining or inspecting the project. There is no foundation for the daily construction reports, which are also hearsay. There is no foundation establishing that these alleged expenses were incurred to correct alleged efficiencies in the work performed by Piasa under its subcontract. Exhibits 329-733 are alleged "damage" Exhibits offered to establish claimed damages from deficiencies in the fireproofing allegedly revealed by the broom test. The broom test is not an accepted</p>

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
329	10/19/07	Continued from page 19-Exhibit 329	MC4102	Yes	method of testing fireproofing. There are no standards for the test. It is not recognized as an acceptable test. It is also a destructive test.
330.	09/11/07	AALCO Wrecking Company Invoice description of Invoice No. 10058.07	MC4335	Yes	Same objection as Exhibit 329
331.	09/04/07	AALCO Wrecking Company Invoice description for Invoice No. 10058.06	MC4336	Yes	Same objection as Exhibit 329
332.	08/23/07	Additional work authorization from AALCO Wrecking Company	MC4337	Yes	Same objection as Exhibit 329
333.	09/04/07	AALCO Wrecking Company Invoice description for Invoice No. 10058.05	MC4338	Yes	Same objection as Exhibit 329
334.	08/24/07	Additional work authorization from AALCO Wrecking Company	MC4339	Yes	Same objection as Exhibit 329
335.	04/11/08	Check from Murray Co. to AALCO Wrecking Company for Invoice No. 10058.11	MC4340	Yes	Same objection as Exhibit 329
336.	10/23/07	AALCO Wrecking Company Invoice description for Invoice No. 10058.11	MC4341	Yes	Same objection as Exhibit 329
337.	10/23/07	AALCO Wrecking Company Invoice description for Invoice No. 10058.11	MC4342	Yes	Same objection as Exhibit 329
338.	12/01/08	Check from Murray Co. to AALCO Wrecking Company for Invoice Nos. 10058.10, 10058.09, 10058.12, 10058.13, 10058.14 and Invoice for 11/03/08 and a Retention Invoice from 11/03/08	MC4343	Yes	Same objection as Exhibit 329
339.	11/03/08	AALCO Wrecking Company memo to Murray Company re accounting balances of certain invoices still owed for AALCO Wrecking Company	MC4344	Yes	Same objection as Exhibit 329
340.	01/03/08	Check from Murray Co. to AALCO Wrecking Company for Invoice Nos. 10058.10, 10058.09, 10058.12, 10058.13, 10058.14	MC4345	Yes	Same objection as Exhibit 329
341.	12/17/08	Description of Invoice No. 10058.09 from AALCO Wrecking Company	MC4346	Yes	Same objection as Exhibit 329
342.	12/17/07	Description of Invoice No. 10058.12 from AALCO Wrecking Company	MC4347	Yes	Same objection as Exhibit 329
343.	12/11/07	Description of Invoice No. 10058.13 from AALCO Wrecking Company	MC4348	Yes	Same objection as Exhibit 329
344.	12/17/07	Description of Invoice No. 10058.14 from AALCO Wrecking Company	MC4349	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
345.	12/17/07	Description of Invoice No. 10058.10 from AALCO Wrecking Company	MC4350	Yes	Same objection as Exhibit 329
346.	09/12/07	Check from Murray Co. to AALCO Wrecking Company for Invoice Nos. 10058.03-.04	MC4351	Yes	Same objection as Exhibit 329
347.	08/17/07	Request for payment from AALCO Wrecking Company to Murray Company	MC4352	Yes	Same objection as Exhibit 329
348.	09/12/07	Description of Invoice No. 1005804 from AALCO Wrecking Company	MC4353	Yes	Same objection as Exhibit 329
349.	07/19/07	Change Order from Murray Company to AALCO Wrecking Company	MC4354	Yes	Same objection as Exhibit 329
350.	03/09/07	Change Order from Murray Company to AALCO Wrecking Company	MC4355	Yes	Same objection as Exhibit 329
351.	09/12/07	Change Order from Murray Company to AALCO Wrecking Company	MC4356	Yes	Same objection as Exhibit 329
352.	10/22/07	Change Order from Murray Company to AALCO Wrecking Company	MC4357	Yes	Same objection as Exhibit 329
353.	12/18/07	Change Order from Murray Company to AALCO Wrecking Company	MC4358	Yes	Same objection as Exhibit 329
354.	10/22/08	Change Order from Murray Company to AALCO Wrecking Company	MC4359	Yes	Same objection as Exhibit 329
355.	08/02/06	Subcontract Agreement from Murray Company re Job No. 181	MC4360	Yes	Same objection as Exhibit 329
356.	08/08/06	Signed Subcontract Agreement between AALCO Wrecking Company and Murray Company	MC4361-MC4363	Yes	Same objection as Exhibit 329
357.	05/15/09	Professional Services Invoice from ACI Boland, Invoice No. 2-05011.14	MC4364	Yes	Same objection as Exhibit 329
358.	05/15/09	Professional Services Invoice from ACI Boland re Project No. 2-05011.15	MC4365	Yes	Same objection as Exhibit 329
359.	05/15/09	Professional Services Invoice from ACI Boland re Project No. 2-05011.00	MC4366-MC4368	Yes	Same objection as Exhibit 329
360.	10/19/07	Check from Murray Co. to Acme Fireproofing and Installation, Inc. for Invoice No. 1167-IL-E	MC4369	Yes	Same objection as Exhibit 329
361.	10/08/07	Acme Fireproofing and Installation, Inc. Invoice for No. 1167-IL-E	MC4370	Yes	Same objection as Exhibit 329
362.	09/04/07	A fax bid from Acme Fireproofing and Installation, Inc. re the Women's Health Center-Olney Hospital	MC4371	Yes	Same objection as Exhibit 329
363.	09/05/07	Purchase Order from Murray Company to Acme Fireproofing and Installation, Inc.	MC4372	Yes	Same objection as Exhibit 329
364.	09/20/07	Check from Murray Co. to Aggreko for Invoice No. 13067342	MC4373	Yes	Same objection as Exhibit 329
365.	08/21/07	Invoice from Aggreko re Invoice No. 13067342	MC4374	Yes	Same objection as Exhibit 329
366.	11/27/07	Check from Murray Co. to Aggreko for Invoice Nos. 1307355 and 13073715	MC4375	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
367.	10/08/07	Invoice from Aggreko re Invoice No. 13073715	MC4376	Yes	Same objection as Exhibit 329
368.	07/19/07	Purchase Order from Murray Company to Aggreko	MC4377	Yes	Same objection as Exhibit 329
369.	07/16/07	Proposal Letter from Aggreko to Murray Company	MC4378-MC4380	Yes	Same objection as Exhibit 329
370.	04/10/08	Check from Murray Co. to B&S Plumbing and Heating, Inc. for Invoice Nos. 22389 and 22390	MC4381	Yes	Same objection as Exhibit 329
371.	02/20/08	Request for payment from B&S Plumbing and Heating, Inc. to Murray Company	MC4382	Yes	Same objection as Exhibit 329
372.	02/19/08	Application and Certification for Payment from B&S Plumbing and Heating, Inc. to Murray Company re Invoice No. 22389	MC4383-MC4385	Yes	Same objection as Exhibit 329
373.	06/04/08	Change Order from Murray Company to B&S Plumbing and Heating, Inc.	MC4386	Yes	Same objection as Exhibit 329
374.	02/16/06	Subcontract Agreement between Murray Company and B&S Plumbing and Heating, Inc.	MC4387-MC4392	Yes	Same objection as Exhibit 329
375.	11/26/07	Check from Murray Company to Code Consultants, Inc. for Invoice No. 166128	MC4393	Yes	Same objection as Exhibit 329
376.	10/23/07	Invoice from CCI re Invoice No. 166128	MC4394	Yes	Same objection as Exhibit 329
377.	10/18/07	Check from Murray Company to Code Consultants, Inc. for Invoice No. 165205	MC4395	Yes	Same objection as Exhibit 329
378.	09/12/07	Invoice from Code Consultants, Inc. re Invoice No. 165205	MC4396	Yes	Same objection as Exhibit 329
379.	09/20/07	Check from Murray Company to Code Consultants, Inc. re Invoice No. 16436	MC4397	Yes	Same objection as Exhibit 329
380.	08/15/07	Invoice from Code Consultants, Inc. re Invoice No. 164366	MC4398	Yes	Same objection as Exhibit 329
381.	09/06/07	Check from Murray Company to Code Consultants, Inc. re Invoice No. 163703	MC4399	Yes	Same objection as Exhibit 329
382.	07/18/07	Invoice from Code Consultants, Inc. re Invoice No. 163703	MC4400	Yes	Same objection as Exhibit 329
383.	09/06/07	Letter from Code Consultants, Inc. to Mike Mitchell and Fire Chief Norman Bissey re Richland Memorial Hospital	MC4401-MC4402	Yes	Same objection as Exhibit 329
384.	11/14/08	Change Order from Murray Company to Commercial Electric, Inc.	MC4403	Yes	Same objection as Exhibit 329
385.	10/15/08	Change Order from Murray Company to Commercial Electric, Inc.	MC4404	Yes	Same objection as Exhibit 329
386.	03/26/09	Change Order from Murray Company to Commercial Electric, Inc.	MC4405	Yes	Same objection as Exhibit 329
387.	04/17/09	Check from Murray Company to Commercial Electric for Invoice No. 6436028	MC4406	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
388.	03/30/09	Request for payment from Commercial Electric to Murray Company re Invoice No. 6436028	MC4407	Yes	Same objection as Exhibit 329
389.	12/23/08	Check from Murray Company to Commercial Electric re Invoice from 12/08 and Part Ret	MC4408	Yes	Same objection as Exhibit 329
390.	02/19/09	Check from Murray Company to Commercial Electric for Invoice Final Ret	MC4409	Yes	Same objection as Exhibit 329
391.	12/18/08	Revised Statement, various invoices due from Murray Company	MC4410	Yes	Same objection as Exhibit 329
392.	11/25/08	Letter from Commercial Electric to Murray Company re Richland Memorial Hospital for invoices not paid yet	MC4411	Yes	Same objection as Exhibit 329
393.	02/09/06	Subcontract Agreement between Murray Company and Commercial Electric, Inc.	MC4412-MC4417	Yes	Same objection as Exhibit 329
394.	06/18/07	Check from Murray Company to Firestoppers, a division of Rebel, re Invoice Nos. 51397 and 739457	MC4418	Yes	Same objection as Exhibit 329
395.	04/20/07	Contract Invoice from Firestoppers re Invoice No. 1345	MC4419	Yes	Same objection as Exhibit 329
396.	06/11/07	Contract Invoice from Firestoppers re Invoice No. 51397	MC4420	Yes	Same objection as Exhibit 329
397.	00/00/00	Description of System No. C-AJ-8093, page 1	MC4421-MC4423	Yes	Same objection as Exhibit 329
398.	00/00/00	Description of System No. W-J-7012	MC4424	Yes	Same objection as Exhibit 329
399.	00/00/00	Description of System No. C-AJ-8113	MC4425-MC4427	Yes	Same objection as Exhibit 329
400.	06/15/07	Purchase Order from Murray Company to Firestoppers	MC4428	Yes	Same objection as Exhibit 329
401.	07/24/08	Check from Murray Company to Illini Builders Co. of Olney re Invoice No. 181 Final	MC4429	Yes	Same objection as Exhibit 329
402.	06/03/08	Purchase Order Change Order from Murray Company to Illini Builders re Purchase No. 2688	MC4430	Yes	Same objection as Exhibit 329
403.	06/03/08	Letter from Murray Company to Illini Builders re Richland Memorial Hospital	MC4431	Yes	Same objection as Exhibit 329
404.	04/14/06	Murray Company Purchase Order to Illini Builders	MC4432	Yes	Same objection as Exhibit 329
405.	00/00/00	Illini Builders Labor Invoice for Job No. 181-1	MC4432	Yes	Same objection as Exhibit 329
406.	12/31/07	Request for payment from Illini Builders to Murray Company	MC4434	Yes	Same objection as Exhibit 329
407.	12/31/07	Illini Builders Co. Invoice No. 2007-429	MC4435-MC4436-MC4437	Yes	Same objection as Exhibit 329
408.	04/14/06	Purchase Order from Murray Company to Illini Builders	MC4438	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
409.	06/24/07	Statement from John D. Hurn and Son	MC4439	Yes	Same objection as Exhibit 329
410.	05/25/07	Invoice of Purchase from Hurn's to Illini Builders	MC4440	Yes	Same objection as Exhibit 329
411.	05/29/07	Receipt Invoice from Hurn's to Illini Builders	MC4441	Yes	Same objection as Exhibit 329
412.	05/30/07	Receipt Invoice from Hurn's to Illini Builders	MC4442	Yes	Same objection as Exhibit 329
413.	05/31/07	Receipt Invoice from Hurn's to Illini Builders	MC4443	Yes	Same objection as Exhibit 329
414.	06/08/07	Receipt Invoice from Hurn's to Illini Builders	MC4444	Yes	Same objection as Exhibit 329
415.	06/11/07	Receipt Invoice from Hurn's to Illini Builders	MC4445	Yes	Same objection as Exhibit 329
416.	05/30/07	Receipt Invoice from Hurn's to Illini Builders	MC4446	Yes	Same objection as Exhibit 329
417.	05/31/07	Receipt Invoice from Hurn's to Illini Builders	MC4447	Yes	Same objection as Exhibit 329
418.	06/27/07	Receipt Invoice from Hurn's to Illini Builders	MC4448	Yes	Same objection as Exhibit 329
419.	07/12/07	Receipt Invoice from Hurn's to Illini Builders	MC4450	Yes	Same objection as Exhibit 329
420.	07/16/07	Receipt Invoice from Hurn's to Illini Builders	MC4451	Yes	Same objection as Exhibit 329
421.	07/18/07	Receipt Invoice from Hurn's to Illini Builders	MC4452	Yes	Same objection as Exhibit 329
422.	11/19/07	Check from Murray Company to Mark's Plastering, Inc. for Invoice No. 518	MC4453	Yes	Same objection as Exhibit 329
423.	10/09/07	Invoice from Mark's Plastering to Murray Company	MC4454	Yes	Same objection as Exhibit 329
424.	09/20/07	Purchase Order from Murray Company to Mark's Plastering	MC4455	Yes	Same objection as Exhibit 329
425.	06/18/07	Check from Murray Company to Ceiling Supply re Invoice No. 202176	MC4456	Yes	Same objection as Exhibit 329
426.	04/27/07	Invoice from Ceiling Supply to Murray Company	MC4457	Yes	Same objection as Exhibit 329
427.	06/15/07	Purchase Order from Murray Company to Ceiling Supply	MC4458	Yes	Same objection as Exhibit 329
428.	11/27/07	Check from Murray Company to Metro Acoustics, LLC for Invoice No. 5572	MC4459	Yes	Same objection as Exhibit 329
429.	10/30/07	Invoice from Metro Acoustics, LLC for Invoice No. 5572	MC4460	Yes	Same objection as Exhibit 329
430.	04/10/08	Check from Murray Company to Metro Acoustics, LLC for Invoice No. 5651	MC4461	Yes	Same objection as Exhibit 329
431.	02/08/08	Invoice from Metro Acoustics, LLC to Murray Company	MC4462	Yes	Same objection as Exhibit 329
432.	04/17/08	Check from Murray Company to Metro Acoustics, LLC for Invoice No. 5678	MC4463	Yes	Same objection as Exhibit 329

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
433.	03/18/08	Invoice from Metro Acoustics to Murray Company	MC4464	Yes	Same objection as Exhibit 329
434.	10/15/08	Check from Murray Company to Metro Acoustics, LLC for Invoice No. 5759	MC4465	Yes	Same objection as Exhibit 329
435.	08/07/08	Invoice from Metro Acoustics, LLC to Murray Company	MC4466	Yes	Same objection as Exhibit 329
436.	02/19/09	Check from Murray Company to Metro Acoustics, LLC for Invoice No. 5846	MC4467	Yes	Same objection as Exhibit 329
437.	12/22/08	Invoice from Metro Acoustics, LLC to Murray Company	MC4468	Yes	Same objection as Exhibit 329
438.	10/15/08	Change Order from Murray Company to Metro Acoustics, LLC	MC4469	Yes	Same objection as Exhibit 329
439.	04/23/08	Change Order from Murray Company to Metro Acoustics, LLC	MC4470	Yes	Same objection as Exhibit 329
440.	02/06/09	Change Order from Murray Company to Metro Acoustics, LLC	MC4471	Yes	Same objection as Exhibit 329
441.	09/27/07	Subcontract Agreement between Murray Company and Metro Acoustics, LLC	MC4472-MC4476	Yes	Same objection as Exhibit 329
442.	02/18/08	Check from Murray Company to Negwer Materials, Inc. for Invoice No. 138223100	MC4477	Yes	Same objection as Exhibit 329
443.	01/25/08	Invoice from Negwer Materials, Inc.	MC4478	Yes	Same objection as Exhibit 329
444.	01/04/08	Purchase Order from Murray Company to Negwer Materials, Inc.	MC4479	Yes	Same objection as Exhibit 329
445.	02/19/09	Check from Murray Company to Paintsmiths of Missouri, Inc. for Invoice No. M28022-IN	MC4480	Yes	Same objection as Exhibit 329
446.	01/22/08	Invoice from Paintsmiths of Missouri, Inc. to Murray Company	MC4481	Yes	Same objection as Exhibit 329
447.	01/22/08	Request for payment from Paintsmiths of Missouri, Inc. to Murray Company	MC4482	Yes	Same objection as Exhibit 329
448.	01/03/08	Job Work Order from Paintsmiths of Missouri, Inc. to Murray Company	MC4483	Yes	Same objection as Exhibit 329
449.	12/27/07	Job Work Order from the Paintsmiths to Murray Company	MC4484	Yes	Same objection as Exhibit 329
450.	12/18/07	Job Work Order from the Paintsmiths to Murray Company	MC4485	Yes	Same objection as Exhibit 329
451.	01/10/08	Job Work Order from the Paintsmiths to Murray Company	MC4486	Yes	Same objection as Exhibit 329
452.	02/08/08	Change Order from Murray Company to Paintsmiths	MC4487	Yes	Same objection as Exhibit 329
453.	05/19/08	Check from Murray Company to the Paintsmiths for Invoice No. M28444-IN	MC4488	Yes	Same objection as Exhibit 329
454.	04/23/08	Invoice from the Paintsmiths to Murray Company	MC4489	Yes	Same objection as Exhibit 329
455.	04/23/08	Request for payment from Paintsmiths to Murray Company	MC4490	Yes	Same objection as Exhibit 329
456.	04/07/08	Letter from Michael of Paintsmiths to John Hahn re a Job Work Order ticket	MC4491	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
457.	01/31/08	Job Work Order from Paintsmiths to Murray Company	MC4492	Yes	Same objection as Exhibit 329
458.	03/20/07	Subcontract Agreement between Murray Company and Paintsmiths	MC4493-MC4495	Yes	Same objection as Exhibit 329
459.	08/17/07	Check from Murray Company to Patriot Engineering and Environmental, Inc. for Invoice Nos. 017595 and 017694	MC4496	Yes	Same objection as Exhibit 329
460.	07/17/07	Invoice from Patriot Engineering to Murray Company	MC4497	Yes	Same objection as Exhibit 329
461.	07/06/07	Invoice from Patriot Engineering to Murray Company	MC4498	Yes	Same objection as Exhibit 329
462.	07/19/07	Check from Murray Company to Patriot Engineering and Environmental, Inc. for Invoice Nos. 016641 and 016931	MC4499	Yes	Same objection as Exhibit 329
463.	06/01/07	Invoice from Patriot Engineering to Murray Company	MC4500	Yes	Same objection as Exhibit 329
464.	06/02/07	Invoice from Patriot Engineering to Murray Company	MC4501	Yes	Same objection as Exhibit 329
465.	05/10/06	Purchase Order from Murray Company to Patriot Engineering	MC4502	Yes	Same objection as Exhibit 329
466.	12/21/07	Check from Murray Company to Paul ABT Contract Floor Coverings, Inc. for Invoice No. 12036	MC4503	Yes	Same objection as Exhibit 329
467.	11/26/07	Invoice from ABT Contract Floor Coverings to Murray Company	MC4504	Yes	Same objection as Exhibit 329
468.	06/04/08	Change Order from Murray Company to ABT Contract Floor Coverings	MC4505	Yes	Same objection as Exhibit 329
469.	06/03/08	Subcontract Agreement between Murray Company and Missouri Terrazzo	MC4506-MC4510	Yes	Same objection as Exhibit 329
470.	09/20/07	Check from Murray Company to Reis Environmental, Inc. for Invoice Nos. 762179 and 762873	MC4511	Yes	Same objection as Exhibit 329
471.	08/09/07	Invoice from Reis Environmental to Murray Company	MC4512	Yes	Same objection as Exhibit 329
472.	08/08/07	Purchase Order from Murray Company	MC4513	Yes	Same objection as Exhibit 329
473.	08/17/07	Check from Murray Company to Reis Environmental, Inc. for Invoice Nos. 758789 and 759532	MC4514	Yes	Same objection as Exhibit 329
474.	07/23/07	Invoice from Reis Environmental to Murray Company	MC4515	Yes	Same objection as Exhibit 329
475.	08/10/07	Purchase Order from Murray Company to Reis Environmental	MC4516	Yes	Same objection as Exhibit 329
476.	01/16/08	Check from Murray Company to Stevens Industries, Inc. for Invoice Nos. 27221308, 2724607, 2725433, 2725867, 2725868, 2725869	MC4517	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
477.	09/07/07	Summary of Invoice from Stevens Industries, Inc. to Murray Company	MC4518	Yes	Same objection as Exhibit 329
478.	10/17/07	Invoice from Stevens Industries, Inc. to Murray Company	MC4519	Yes	Same objection as Exhibit 329
479.	10/17/07	Invoice from Stevens Industries, Inc. to Murray Company	MC4520	Yes	Same objection as Exhibit 329
480.	10/17/07	Invoice from Stevens Industries, Inc. to Murray Company	MC4521	Yes	Same objection as Exhibit 329
481.	10/05/07	Invoice from Stevens Industries, Inc. to Murray Company	MC4522	Yes	Same objection as Exhibit 329
482.	10/12/07	Invoice from Stevens Industries, Inc. to Murray Company	MC4523	Yes	Same objection as Exhibit 329
483.	06/19/06	Purchase Order from Murray Company to Stevens Industries, Inc.	MC4524	Yes	Same objection as Exhibit 329
484.	11/26/07	Check from Murray Company to Sundermeyer Ltd. for Invoice No. 1	MC4525	Yes	Same objection as Exhibit 329
485.	10/20/07	Request for payment from Sundermeyer Ltd. to Murray Company	MC4526	Yes	Same objection as Exhibit 329
486.	12/21/07	Check from Murray Company to Sundermeyer Ltd. for Invoice No. 2	MC4527	Yes	Same objection as Exhibit 329
487.	11/20/07	Request for payment from Sundermeyer Ltd. to Murray Company	MC4528	Yes	Same objection as Exhibit 329
488.	11/29/08	Check from Murray Company to Sundermeyer Ltd. for Invoice No. 4 Ret	MC4529	Yes	Same objection as Exhibit 329
489.	11/03/08	Request for payment from Sundermeyer Ltd. to Murray Company	MC4530	Yes	Same objection as Exhibit 329
490.	09/15/08	Check from Murray Company to Sundermeyer Ltd. for Invoice No. 3751	MC4531	Yes	Same objection as Exhibit 329
491.	06/19/08	Request for payment from Sundermeyer Ltd. to Murray Company	MC4532	Yes	Same objection as Exhibit 329
492.	04/10/08	Check from Murray Company to Sundermeyer Ltd. for Invoice No. 3	MC4533	Yes	Same objection as Exhibit 329
493.	01/20/08	Request for payment from Sundermeyer Ltd. to Murray Company	MC4534	Yes	Same objection as Exhibit 329
494.	05/12/08	Check from Murray Company to Sundermeyer Ltd. for Invoice No. 4	MC4535	Yes	Same objection as Exhibit 329
495.	03/20/08	Request for payment from Sundermeyer Ltd. to Murray Company	MC4536	Yes	Same objection as Exhibit 329
496.	06/03/08	Change Order from Murray Company to Sundermeyer Construction Services	MC4537	Yes	Same objection as Exhibit 329
497.	09/19/07	Subcontract Agreement between Murray Company and Sundermeyer Ltd.	MC4538-MC4543	Yes	Same objection as Exhibit 329
498.	09/12/07	Faxed bid from Sundermeyer Ltd. to Murray Company	MC4544	Yes	Same objection as Exhibit 329
499.	05/22/07	Check from Murray Company to Thermal Consulting and Inspection Ltd. for Invoice No. MURR-01	MC4545	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
500.	05/22/07	Check Request Form for consulting on spray fireproofing from Thermal Consulting and Inspection Ltd.	MC4546	Yes	Same objection as Exhibit 329
501.	05/21/07	Invoice from Thermal Consulting and Inspection Ltd. to Murray Company	MC4547	Yes	Same objection as Exhibit 329
502.	09/20/07	Check from Murray Company to Thermal Consulting and Inspection Ltd. for Invoice No. MURR-03	MC4548	Yes	Same objection as Exhibit 329
503.	07/27/07	Invoice from Thermal Consulting and Inspection Ltd. to Murray Company	MC4549	Yes	Same objection as Exhibit 329
504.	07/19/07	Check from Murray Company to Thermal Consulting and Inspection Ltd. for Invoice No. MURR-02	MC4550	Yes	Same objection as Exhibit 329
505.	06/04/06	Invoice from Thermal Consulting and Inspection Ltd. to Murray Company	MC4551	Yes	Same objection as Exhibit 329
506.	07/11/07	Purchase Order to Thermal Consulting and Inspection Ltd.	MC4552	Yes	Same objection as Exhibit 329
507.	04/17/09	Check from Murray Company to Thermal Consulting and Inspection Ltd. for Invoice No. LRF-01	MC4553	Yes	Same objection as Exhibit 329
508.	04/13/09	Invoice from Thermal Consulting and Inspection Ltd. to Murray Company	MC4554	Yes	Same objection as Exhibit 329
509.	04/16/09	Purchase Order from Murray Company to Thermal Consulting and Inspection Ltd.	MC4555	Yes	Same objection as Exhibit 329
510.	00/00/00	Receipt	MC4556	Yes	Same objection as Exhibit 329
511.	00/00/00	Receipt	MC4557	Yes	Same objection as Exhibit 329
512.	00/00/00	List of services and amounts from between 01/02/07 to 05/22/07	MC4558	Yes	Same objection as Exhibit 329
513.	12/30/07	Job Labor History Murray Company	MC4559	Yes	Same objection as Exhibit 329
514.	05/22/07	Weekly Timesheet for Tom Underhill	MC4560	Yes	Same objection as Exhibit 329
515.	05/30/07	Weekly Timesheet for Tom Underhill	MC4561	Yes	Same objection as Exhibit 329
516.	06/05/07	Weekly Timesheet for Tom Underhill	MC4562	Yes	Same objection as Exhibit 329
517.	06/12/07	Weekly Timesheet for Tom Underhill	MC4563	Yes	Same objection as Exhibit 329
518.	06/19/07	Weekly Timesheet for Tom Underhill	MC4564	Yes	Same objection as Exhibit 329
519.	06/26/07	Weekly Timesheet for Tom Underhill	MC4565	Yes	Same objection as Exhibit 329
520.	07/03/07	Weekly Timesheet for Tom Underhill	MC4566	Yes	Same objection as Exhibit 329
521.	07/10/07	Weekly Timesheet for Tom Underhill	MC4567	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
522.	07/17/07	Weekly Timesheet for Tom Underhill	MC4568	Yes	Same objection as Exhibit 329
523.	07/24/07	Weekly Timesheet for Tom Underhill	MC4569	Yes	Same objection as Exhibit 329
524.	07/30/07	Weekly Timesheet for Tom Underhill	MC4570	Yes	Same objection as Exhibit 329
525.	08/07/07	Weekly Timesheet for Tom Underhill	MC4571	Yes	Same objection as Exhibit 329
526.	08/21/07	Weekly Timesheet for Tom Underhill	MC4572	Yes	Same objection as Exhibit 329
527.	08/14/07	Weekly Timesheet for Tom Underhill	MC4573	Yes	Same objection as Exhibit 329
528.	08/28/07	Weekly Timesheet for Tom Underhill	MC4574	Yes	Same objection as Exhibit 329
529.	09/04/07	Weekly Timesheet for Tom Underhill	MC4575	Yes	Same objection as Exhibit 329
530.	09/11/07	Weekly Timesheet for Tom Underhill	MC4576	Yes	Same objection as Exhibit 329
531.	09/18/07	Weekly Timesheet for Tom Underhill	MC4577	Yes	Same objection as Exhibit 329
532.	09/25/07	Weekly Timesheet for Tom Underhill	MC4578	Yes	Same objection as Exhibit 329
533.	10/02/07	Weekly Timesheet for Tom Underhill	MC4579	Yes	Same objection as Exhibit 329
534.	10/09/07	Weekly Timesheet for Tom Underhill	MC4580	Yes	Same objection as Exhibit 329
535.	10/16/07	Weekly Timesheet for Tom Underhill	MC4581	Yes	Same objection as Exhibit 329
536.	10/24/07	Weekly Timesheet for Tom Underhill	MC4582	Yes	Same objection as Exhibit 329
537.	06/19/09	History Detail Report from Murray Company for John Hahn's time	MC4583	Yes	Same objection as Exhibit 329
538.	07/31/07	Weekly Timesheet for John Hahn	MC4584	Yes	Same objection as Exhibit 329
539.	08/08/07	Weekly Timesheet for John Hahn	MC4585	Yes	Same objection as Exhibit 329
540.	08/15/07	Weekly Timesheet for John Hahn	MC4586	Yes	Same objection as Exhibit 329
541.	06/19/09	History Detail Report from Murray Company re C. Randy Liley's time	MC4587	Yes	Same objection as Exhibit 329
542.	08/07/07	Timesheet for Randy Liley	MC4588	Yes	Same objection as Exhibit 329
543.	09/04/07	Timesheet for Randy Liley	MC4589	Yes	Same objection as Exhibit 329
544.	09/25/07	Timesheet for Randy Liley	MC4590	Yes	Same objection as Exhibit 329
545.	08/01/07	Daily Construction Report from Murray Company	MC4591	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
546.	08/06/07	Daily Construction Report from Murray Company	MC4592	Yes	Same objection as Exhibit 329
547.	08/07/07	Daily Construction Report from Murray Company	MC4593	Yes	Same objection as Exhibit 329
548.	08/07/07	Daily Construction Report from Murray Company	MC4594	Yes	Same objection as Exhibit 329
549.	08/14/07	Daily Construction Report from Murray Company	MC4595	Yes	Same objection as Exhibit 329
550.	08/15/07	Daily Construction Report from Murray Company	MC4596	Yes	Same objection as Exhibit 329
551.	08/16/07	Daily Construction Report from Murray Company	MC4597	Yes	Same objection as Exhibit 329
552.	08/20/07	Daily Construction Report from Murray Company	MC4598	Yes	Same objection as Exhibit 329
553.	08/21/07	Daily Construction Report from Murray Company	MC4599	Yes	Same objection as Exhibit 329
554.	08/22/07	Daily Construction Report from Murray Company	MC4600	Yes	Same objection as Exhibit 329
555.	08/23/07	Daily Construction Report from Murray Company	MC4601	Yes	Same objection as Exhibit 329
556.	08/28/07	Daily Construction Report from Murray Company	MC4602	Yes	Same objection as Exhibit 329
557.	08/29/07	Daily Construction Report from Murray Company	MC4603	Yes	Same objection as Exhibit 329
558.	08/30/07	Daily Construction Report from Murray Company	MC4604	Yes	Same objection as Exhibit 329
559.	09/05/07	Daily Construction Report from Murray Company	MC4605	Yes	Same objection as Exhibit 329
560.	09/06/07	Daily Construction Report from Murray Company	MC4606	Yes	Same objection as Exhibit 329
561.	09/11/07	Daily Construction Report from Murray Company	MC4607	Yes	Same objection as Exhibit 329
562.	09/12/07	Daily Construction Report from Murray Company	MC4608	Yes	Same objection as Exhibit 329
563.	09/13/07	Daily Construction Report from Murray Company	MC4609	Yes	Same objection as Exhibit 329
564.	09/14/07	Daily Construction Report from Murray Company	MC4610	Yes	Same objection as Exhibit 329
565.	09/18/07	Daily Construction Report from Murray Company	MC4611	Yes	Same objection as Exhibit 329
566.	09/19/07	Daily Construction Report from Murray Company	MC4612	Yes	Same objection as Exhibit 329
567.	09/20/07	Daily Construction Report from Murray Company	MC4613	Yes	Same objection as Exhibit 329
568.	09/21/07	Daily Construction Report from Murray Company	MC4614	Yes	Same objection as Exhibit 329
569.	06/19/09	History Detail Report from Murray Company on Larry Koonce	MC4615	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
570.	08/07/07	Timesheet for Larry Koonce	MC4616	Yes	Same objection as Exhibit 329
571.	06/19/09	History Detail Report from Murray Company for Mark Marquart	MC4617	Yes	Same objection as Exhibit 329
572.	05/23/07	Timesheet for Mark Marquart	MC4618	Yes	Same objection as Exhibit 329
573.	05/29/07	Timesheet for Mark Marquart	MC4619	Yes	Same objection as Exhibit 329
574.	06/05/07	Timesheet for Mark Marquart	MC4620	Yes	Same objection as Exhibit 329
575.	06/12/07	Timesheet for Mark Marquart	MC4621	Yes	Same objection as Exhibit 329
576.	06/19/07	Timesheet for Mark Marquart	MC4622	Yes	Same objection as Exhibit 329
577.	06/26/07	Timesheet for Mark Marquart	MC4623	Yes	Same objection as Exhibit 329
578.	07/02/07	Timesheet for Mark Marquart	MC4624	Yes	Same objection as Exhibit 329
579.	07/10/07	Timesheet for Mark Marquart	MC4625	Yes	Same objection as Exhibit 329
580.	07/17/07	Timesheet for Mark Marquart	MC4626	Yes	Same objection as Exhibit 329
581.	05/18/07	Daily Construction Report from Murray Company	MC4627	Yes	Same objection as Exhibit 329
582.	05/19/07	Daily Construction Report from Murray Company	MC4628	Yes	Same objection as Exhibit 329
583.	05/21/07	Daily Construction Report from Murray Company	MC4629	Yes	Same objection as Exhibit 329
584.	05/22/07	Daily Construction Report from Murray Company	MC4630	Yes	Same objection as Exhibit 329
585.	05/23/07	Daily Construction Report from Murray Company	MC4631	Yes	Same objection as Exhibit 329
586.	05/24/07	Daily Construction Report from Murray Company	MC4632	Yes	Same objection as Exhibit 329
587.	05/25/07	Daily Construction Report from Murray Company	MC4633	Yes	Same objection as Exhibit 329
588.	05/29/07	Daily Construction Report from Murray Company	MC4634	Yes	Same objection as Exhibit 329
589.	05/30/07	Daily Construction Report from Murray Company	MC4635	Yes	Same objection as Exhibit 329
590.	05/31/07	Daily Construction Report from Murray Company	MC4636	Yes	Same objection as Exhibit 329
591.	06/01/07	Daily Construction Report from Murray Company	MC4637	Yes	Same objection as Exhibit 329
592.	06/04/07	Daily Construction Report from Murray Company	MC4638	Yes	Same objection as Exhibit 329
593.	06/05/07	Daily Construction Report from Murray Company	MC4639	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
594.	06/06/07	Daily Construction Report from Murray Company	MC4640	Yes	Same objection as Exhibit 329
595.	06/07/07	Daily Construction Report from Murray Company	MC4641	Yes	Same objection as Exhibit 329
596.	06/08/07	Daily Construction Report from Murray Company	MC4642	Yes	Same objection as Exhibit 329
597.	06/11/07	Daily Construction Report from Murray Company	MC4643	Yes	Same objection as Exhibit 329
598.	06/12/07	Daily Construction Report from Murray Company	MC4644	Yes	Same objection as Exhibit 329
599.	06/13/07	Daily Construction Report from Murray Company	MC4645	Yes	Same objection as Exhibit 329
600.	06/14/07	Daily Construction Report from Murray Company	MC4646	Yes	Same objection as Exhibit 329
601.	06/15/07	Daily Construction Report from Murray Company	MC4647	Yes	Same objection as Exhibit 329
602.	06/18/07	Daily Construction Report from Murray Company	MC4648	Yes	Same objection as Exhibit 329
603.	06/19/07	Daily Construction Report from Murray Company	MC4649	Yes	Same objection as Exhibit 329
604.	06/20/07	Daily Construction Report from Murray Company	MC4650	Yes	Same objection as Exhibit 329
605.	06/21/07	Daily Construction Report from Murray Company	MC4651	Yes	Same objection as Exhibit 329
606.	06/22/07	Daily Construction Report from Murray Company	MC4652	Yes	Same objection as Exhibit 329
607.	06/25/07	Daily Construction Report from Murray Company	MC4653	Yes	Same objection as Exhibit 329
608.	06/26/07	Daily Construction Report from Murray Company	MC4654	Yes	Same objection as Exhibit 329
609.	06/27/07	Daily Construction Report from Murray Company	MC4655	Yes	Same objection as Exhibit 329
610.	06/28/07	Daily Construction Report from Murray Company	MC4656	Yes	Same objection as Exhibit 329
611.	07/10/07	Daily Construction Report from Murray Company	MC4657	Yes	Same objection as Exhibit 329
612.	07/11/07	Daily Construction Report from Murray Company	MC4658	Yes	Same objection as Exhibit 329
613.	05/12/07	Daily Construction Report from Murray Company	MC4659	Yes	Same objection as Exhibit 329
614.	11/05/07	Check from Murray Company to AT&T Mobility for Invoice No. X10182007	MC4660	Yes	Same objection as Exhibit 329
615.	10/01/07	Summary of AT&T/Cingular Wireless Account	MC4661	Yes	Same objection as Exhibit 329
616.	10/10/07	Page Summary of an AT&T Wireless Bill	MC4662	Yes	Same objection as Exhibit 329
617.	09/26/07	Check from Murray Company to AT&T Mobility for Invoice No. X09182007	MC4663	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
618.	09/01/07	AT&T/Cingular Wireless Account Summary	MC4664	Yes	Same objection as Exhibit 329
619.	09/10/07	Summary of Charges from an AT&T Wireless Bill for 314-805-4888	MC4665	Yes	Same objection as Exhibit 329
620.	07/24/07	Check from Murray Company to Sprint for Invoice of June and July of 2007	MC4666	Yes	Same objection as Exhibit 329
621.	07/20/07	Summary of Charges from June and July of 2007 for Sprint	MC4667	Yes	Same objection as Exhibit 329
622.	10/05/07	Check from Murray Company to Nuvox Communications for Invoice No. 51389142	MC4668	Yes	Same objection as Exhibit 329
623.	09/01/07	Summary of Charges for Nuvox	MC4669	Yes	Same objection as Exhibit 329
624.	08/07/07	Check from Murray Company to Verizon North for Invoice No. 181 July of 2007	MC4670	Yes	Same objection as Exhibit 329
625.	07/19/07	Summary of Murray Company's phone charges with Verizon	MC4671	Yes	Same objection as Exhibit 329
626.	07/10/07	Check from Murray Company to Verizon North for Invoice of June 2007	MC4672	Yes	Same objection as Exhibit 329
627.	06/19/07	Summary of phone charges for Murray Company from Verizon	MC4673	Yes	Same objection as Exhibit 329
628.	10/04/07	Check from Murray Company to Verizon North for the Invoice of 9/19/07	MC4674	Yes	Same objection as Exhibit 329
629.	09/19/07	Summary of phone charges for Murray Company from Verizon	MC4675	Yes	Same objection as Exhibit 329
630.	09/06/07	Check from Murray Company to Verizon North from Invoice No. 181-081907	MC4676	Yes	Same objection as Exhibit 329
631.	08/19/07	Summary of phone charges for Murray Company from Verizon	MC4677	Yes	Same objection as Exhibit 329
632.	08/22/07	Check from Murray Company to Enterprise Rent-A-Car-STL for Invoice of 7/27/07	MC4678	Yes	Same objection as Exhibit 329
633.	07/27/07	List of charges from Enterprise to Murray Company	MC4679	Yes	Same objection as Exhibit 329
634.	07/10/07	Check from Murray Company to Enterprise Rent-A-Car-STL for the Invoice of June 2007	MC4680	Yes	Same objection as Exhibit 329
635.	06/28/07	Summary of charges from Enterprise to Murray Company	MC4681	Yes	Same objection as Exhibit 329
636.	07/12/07	Check from Murray Company to Voyager Fleet Systems, Inc. for Invoice No. 3911701	MC4682	Yes	Same objection as Exhibit 329
637.	06/01/07	Voyager list of charges from Murray Company	MC4683	Yes	Same objection as Exhibit 329
638.	06/22/07	Account Summary Report from Voyager to Murray Company	MC4684	Yes	Same objection as Exhibit 329
639.	10/16/07	Check from Murray Company to Voyager Fleet Systems, Inc. for Invoice No. 391170	MC4685	Yes	Same objection as Exhibit 329
640.	09/01/07	List of charges from Voyager to Murray Company	MC4686	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
641.	09/21/07	Account Summary Report from Voyager to Murray Company	MC4687	Yes	Same objection as Exhibit 329
642.	07/19/07	Check from Murray Company to Satellite Shelters, Inc. for Invoice Nos. 25682520, 26211611, 26667201, 26667202	MC4688	Yes	Same objection as Exhibit 329
643.	06/13/07	Bill from Satellite to Murray Company	MC4689	Yes	Same objection as Exhibit 329
644.	08/17/07	Check from Murray Company to Satellite Shelters, Inc. for Invoice Nos. 25682521, 26211612, 26667203, 26667204	MC4690	Yes	Same objection as Exhibit 329
645.	07/11/07	Bill from Satellite to Murray Company	MC4691	Yes	Same objection as Exhibit 329
646.	09/20/07	Check from Murray Company to Satellite Shelters, Inc. for Invoice Nos. 25682522, 26211613, 26667205	MC4692	Yes	Same objection as Exhibit 329
647.	08/08/07	Bill from Satellite to Murray Company	MC4693	Yes	Same objection as Exhibit 329
648.	10/18/07	Check from Murray Company to Satellite Shelters, Inc. for Invoice Nos. 25682523, 26211614, 26667206	MC4694	Yes	Same objection as Exhibit 329
649.	09/05/07	Bill from Satellite to Murray Company	MC4695	Yes	Same objection as Exhibit 329
650.	09/05/07	Bill from Satellite to Murray Company	MC4696	Yes	Same objection as Exhibit 329
651.	07/10/07	Check from Murray Company to United Parcel Service for Invoice Nos. 681756257	MC4697	Yes	Same objection as Exhibit 329
652.	06/23/07	Summary of Charges from Vendor No. 211001	MC4698	Yes	Same objection as Exhibit 329
653.	06/23/07	Account Summary from UPS to Murray Company	MC4699	Yes	Same objection as Exhibit 329
654.	10/02/07	Check from Murray Company to United Parcel Service for Invoice No. 681756387	MC4700	Yes	Same objection as Exhibit 329
655.	09/23/07	Summary of Charges from Vendor No. 211001	MC4701	Yes	Same objection as Exhibit 329
656.	09/22/07	Summary of Charges from UPS to Murray Company	MC4702	Yes	Same objection as Exhibit 329
657.	08/07/07	Check from Murray Company to United Parcel Service for Invoice No. 681756307	MC4703	Yes	Same objection as Exhibit 329
658.	07/28/07	Summary of Charges from Vendor No. 211001	MC4704	Yes	Same objection as Exhibit 329
659.	07/28/07	Summary of Charges from UPS to Murray Company	MC4705	Yes	Same objection as Exhibit 329
660.	10/18/07	Check from Murray Company to Tom Underhill for the Invoice of 9/10-10/7	MC4706	Yes	Same objection as Exhibit 329
661.	09/00/07	Expense Reimbursement Request for Tom Underhill	MC4707	Yes	Same objection as Exhibit 329
662.	08/17/07	Check from Murray Company to Tom Underhill for the Invoice of 7/07	MC4708	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
663.	07/00/07	Expense Reimbursement Request for Tom Underhill	MC4709	Yes	Same objection as Exhibit 329
664.	09/20/07	Check from Murray Company to Tom Underhill for Invoice of 08/23/07	MC4710	Yes	Same objection as Exhibit 329
665.	08/00/07	Expense Reimbursement Request for Tom Underhill	MC4711	Yes	Same objection as Exhibit 329
666.	07/19/07	Check from Murray Company to Tom Underhill for the Invoice of 06/07 Reim	MC4712	Yes	Same objection as Exhibit 329
667.	06/00/07	Expense Reimbursement Request for Tom Underhill	MC4713	Yes	Same objection as Exhibit 329
668.	07/12/07	Murray Company check to Ameren Cips for Invoice of 06/07-181	MC4714	Yes	Same objection as Exhibit 329
669.	07/20/07	Ameren Cips bill for Murray Company	MC4715	Yes	Same objection as Exhibit 329
670.	07/20/07	Bill from Ameren Cips to Murray Company	MC4716	Yes	Same objection as Exhibit 329
671.	08/14/07	Check from Murray Company to Ameren Cips for the Invoice of 7/2-8-2-07	MC4717	Yes	Same objection as Exhibit 329
672.	08/20/07	Bill from Ameren Cips to Murray Company	MC4718	Yes	Same objection as Exhibit 329
673.	08/20/07	Bill from Ameren Cips to Murray Company	MC4719	Yes	Same objection as Exhibit 329
674.	10/16/07	Check from Murray Company to Ameren Cips for the Invoice of STMT10/4	MC4720	Yes	Same objection as Exhibit 329
675.	10/04/07	Bill from Ameren Cips to Murray Company	MC4721	Yes	Same objection as Exhibit 329
676.	10/18/07	Bill from Ameren Cips to Murray Company	MC4722	Yes	Same objection as Exhibit 329
677.	01/16/08	Check from Murray Company to Veolia Environmental Services for the Invoice of N4034409, N4040063	MC4723	Yes	Same objection as Exhibit 329
678.	11/25/07	Invoice from Veolia to Murray Company	MC4724	Yes	Same objection as Exhibit 329
679.	12/25/07	Invoice from Veolia to Murray Company	MC4725	Yes	Same objection as Exhibit 329
680.	09/20/07	Check from Murray Company to Veolia Environmental Services for Invoice H2157933, N4017674	MC4726	Yes	Same objection as Exhibit 329
681.	08/25/07	Veolia Invoice to Murray Company	MC4727	Yes	Same objection as Exhibit 329
682.	08/17/07	Check from Murray Company to Doty Sanitation Service for Invoice 6/30/07	MC4728	Yes	Same objection as Exhibit 329
683.	06/30/07	Doty Sanitation Service Statement to Murray Company	MC4729	Yes	Same objection as Exhibit 329
684.	07/19/07	Check from Murray Company to Doty Sanitation Service for Invoice B013 May 2007	MC4730	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
685.	05/31/07	Doty Sanitation Service Statement to Murray Company	MC4731	Yes	Same objection as Exhibit 329
686.	08/17/07	Check from Murray Company to Hinckley Springs for Invoice 060707	MC4732	Yes	Same objection as Exhibit 329
687.	06/28/07	Hinckley Invoice to Murray Company	MC4733	Yes	Same objection as Exhibit 329
688.	07/26/07	Hinckley Invoice to Murray Company	MC4734	Yes	Same objection as Exhibit 329
689.	07/19/07	Check from Murray Company to Hinckley Springs for Invoice STMT5/31	MC4735	Yes	Same objection as Exhibit 329
690.	05/31/07	Hinckley Invoice for Murray Company	MC4736	Yes	Same objection as Exhibit 329
691.	08/23/07	Hinckley Invoice for Murray Company	MC4737	Yes	Same objection as Exhibit 329
692.	07/10/07	Check from Murray Company to City Blue Technologies, LLC for Invoices 178554, 178628, 178784, 178815, 178873, 178934, 178943, 178982	MC4738	Yes	Same objection as Exhibit 329
693.	06/29/07	City Blue Technologies Invoice to Murray Company	MC4739	Yes	Same objection as Exhibit 329
694.	07/03/07	City Blue Technologies Invoice to Murray Company	MC4740	Yes	Same objection as Exhibit 329
695.	09/11/07	Check from Murray Company to City Blue Technologies, LLC	MC4741	Yes	Same objection as Exhibit 329
696.	08/30/07	City Blue Technologies Invoice to Murray Company	MC4742	Yes	Same objection as Exhibit 329
697.	08/07/07	Check from Murray Company to City Blue Technologies, LLC	MC4743	Yes	Same objection as Exhibit 329
698.	07/27/07	City Blue Technologies Invoice to Murray Company	MC4744	Yes	Same objection as Exhibit 329
699.	07/01/07	Murray Company check to Mark Marquart	MC4745	Yes	Same objection as Exhibit 329
700.	07/07/07	Per diem request by Mark Marquart	MC4746	Yes	Same objection as Exhibit 329
701.	06/04/07	Murray Company check to Mark Marquart	MC4747	Yes	Same objection as Exhibit 329
702.	06/00/07	Per diem request from Mark Marquart	MC4748	Yes	Same objection as Exhibit 329
703.	07/16/07	Check from Murray Company to John Hahn for Invoice of 6/27-7/3	MC4749	Yes	Same objection as Exhibit 329
704.	07/11/07	Expense reimbursement request from John Hahn	MC4750	Yes	Same objection as Exhibit 329
705.	06/26/07	Check from Murray Company to John Hahn for the Invoice of June 2007 REIM	MC4751	Yes	Same objection as Exhibit 329
706.	06/20/07	Expense reimbursement request from John Hahn	MC4752	Yes	Same objection as Exhibit 329

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
707.	03/31/07	Application and Certificate for Payment from Murray Company to Richland Memorial Hospital	MC4753	Yes	Same objection as Exhibit 329
708.	03/31/07	Summary of worksheet to Richland Memorial Hospital	MC4754	Yes	Same objection as Exhibit 329
709.	04/30/07	Application and Certificate for Payment from Murray Company to Richland Memorial Hospital	MC4755	Yes	Same objection as Exhibit 329
710.	04/30/07	Statement of charges to Richland Memorial Hospital	MC4756	Yes	Same objection as Exhibit 329
711.	05/31/07	Application and Certificate for Payment from Murray Company to Richland Memorial Hospital	MC4757	Yes	Same objection as Exhibit 329
712.	05/31/07	Description of Work for Richland Memorial Hospital	MC4758	Yes	Same objection as Exhibit 329
713.	05/31/07	Page 2 of Description of Work for Richland Memorial Hospital	MC4759	Yes	Same objection as Exhibit 329
714.	06/30/07	Application and Certificate for Payment from Murray Company to Richland Memorial Hospital	MC4760	Yes	Same objection as Exhibit 329
715.	06/30/07	Description of Work for Richland Memorial Hospital	MC4761	Yes	Same objection as Exhibit 329
716.	06/30/07	Page 2 of Description of Work for Richland Memorial Hospital	MC4762	Yes	Same objection as Exhibit 329
717.	10/31/07	Application and Certificate for Payment from Murray Company to Richland Memorial Hospital	MC4763	Yes	Same objection as Exhibit 329
718.	10/31/07	Description of Work for Richland Memorial Hospital	MC4764	Yes	Same objection as Exhibit 329
719.	10/31/07	Page 2 of Description of Work for Richland Memorial Hospital	MC4765	Yes	Same objection as Exhibit 329
720.	02/06/09	Pay Request to Richland Memorial - Olney	MC4766	Yes	Same objection as Exhibit 329
721.	03/15/07	Check from Richland Memorial Hospital to Murray Company	MC4767	Yes	Same objection as Exhibit 329
722.	04/12/07	Check from Richland Memorial Hospital to Murray Company	MC4768	Yes	Same objection as Exhibit 329
723.	05/17/07	Check from Richland Memorial Hospital to Murray Company	MC4769	Yes	Same objection as Exhibit 329
724.	07/26/07	Check from Richland Memorial Hospital to Murray Company	MC4770	Yes	Same objection as Exhibit 329
725.	11/21/07	Check from Richland Memorial Hospital to Murray Company	MC4771	Yes	Same objection as Exhibit 329
726.	12/13/07	Check from Richland Memorial Hospital to Murray Company	MC4772	Yes	Same objection as Exhibit 329
727.	01/28/08	Check from Richland Memorial Hospital to Murray Company	MC4773	Yes	Same objection as Exhibit 329

NO.	DATE OF DOCUMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
728.	04/08/08	Check from Richland Memorial Hospital to Murray Company	MC4774	Yes	Same objection as Exhibit 329
729.	05/08/08	Check from Richland Memorial Hospital to Murray Company	MC4775	Yes	Same objection as Exhibit 329
730.	08/28/08	Check from Richland Memorial Hospital to Murray Company	MC4776	Yes	Same objection as Exhibit 329
731.	11/06/08	Check from Richland Memorial Hospital to Murray Company	MC4777	Yes	Same objection as Exhibit 329
732.	12/18/08	Check from Richland Memorial Hospital to Murray Company	MC4778	Yes	Same objection as Exhibit 329
733.	02/05/09	Check from Richland Memorial Hospital to Murray Company	MC4779	Yes	Same objection as Exhibit 329
734.	00/00/00	Photograph of Finished Hospital	MC4894	No	
735.	00/00/00	Photograph of Finished Hospital	MC4895	No	
736.	00/00/00	Photograph of Finished Hospital	MC4896	No	
737.	00/00/00	Photograph of Finished Hospital	MC4897	No	
738.	00/00/00	Photograph of Finished Hospital	MC4898	No	
739.	00/00/00	Photograph of Finished Hospital	MC4899	No	
740.	00/00/00	Photograph of Finished Hospital	MC4900	No	
741.	00/00/00	Photograph of Finished Hospital	MC4901	No	
742.	00/00/00	Photograph of Finished Hospital	MC4902	No	
743.	00/00/00	Photograph of Finished Hospital	MC4903	No	
744.	00/00/00	Photograph of Finished Hospital	MC4904	No	
745.	00/00/00	Photograph of Finished Hospital	MC4905	No	
746.	00/00/00	Photograph of Finished Hospital	MC4906	No	
747.	00/00/00	Photograph of Finished Hospital	MC4907	No	
748.	00/00/00	Full set of as-built plan sheets for the Project.	N/A	Yes	No foundation. Not previously produced during discovery.
749.	00/00/00	Application Video for Blaze Shield II, available at www.isolatek.com	www.isolatek.com	Yes	Not relevant, hearsay, no foundation.
750.	02/01/06	Pay Application No. 1 from Murray Company to Richland Memorial	MC004908-MC004909	No	
751.	03/01/06	Pay Application No. 2 from Murray Company to Richland Memorial	MC004910-MC004911	No	
752.	04/03/06	Pay Application No. 3 from Murray Company to Richland Memorial	MC004912-004913	No	
753.	05/01/06	Pay Application No. 4 from Murray Company to Richland Memorial	MC004914-MC004915	No	
754.	06/02/06	Pay Application No. 5 from Murray Company to Richland Memorial	MC004916-MC004917	No	
755.	07/05/06	Pay Application No. 6 from Murray Company to Richland Memorial	MC004918-MC004919	No	
756.	08/02/06	Pay Application No. 7 from Murray Company to Richland Memorial	MC004920-MC004921	No	

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
757.	09/01/06	Pay Application No. 8 from Murray Company to Richland Memorial	MC004922-MC004923	No	
758.	10/03/06	Pay Application No.9 from Murray Company to Richland Memorial	MC004924	No	
759.	11/01/06	Pay Application No. 10 from Murray Company to Richland Memorial	MC004925-MC004926	No	
760.	12/05/06	Pay Application No. 11 from Murray Company to Richland Memorial	MC004927-MC004928	No	
761.	01/04/07	Pay Application No. 12 from Murray Company to Richland Memorial	MC004929-MC004930	No	
762.	02/09/07	Pay Application No. 13 from Murray Company to Richland Memorial	MC004931-MC004932	No	
763.	03/02/07	Pay Application No. 14 from Murray Company to Richland Memorial	MC004933-MC004934	No	
764.	03/30/07	Pay Application No. 15 from Murray Company to Richland Memorial	MC004935-MC004936	No	
765.	05/01/07	Pay Application No. 16 from Murray Company to Richland Memorial	MC004937-MC004938	No	
766.	05/31/07	Pay Application No. 17 from Murray Company to Richland Memorial	MC004939-MC004941	No	
767.	07/05/07	Pay Application No. 18 from Murray Company to Richland Memorial	MC004942-MC004944	Yes	Not relevant, no foundation.
768.	11/01/07	Pay Application No. 19 from Murray Company to Richland Memorial	MC004945-MC004947	Yes	Not relevant, no foundation.
769.	11/30/07	Pay Application No. 20 from Murray Company to Richland Memorial	MC004948-MC004950	Yes	Not relevant, no foundation.
770.	1/07/08	Pay Application No. 21 from Murray Company to Richland Memorial	MC004951-MC004953	Yes	Not relevant, no foundation.
771.	02/18/08	Pay Application No. 22 from Murray Company to Richland Memorial	MC004954-MC004956	Yes	Not relevant, no foundation.
772.	02/29/08	Pay Application No. 23 from Murray Company to Richland Memorial	MC004957-MC004959	Yes	Not relevant, no foundation.
773.	03/31/08	Pay Application No. 24 from Murray Company to Richland Memorial	MC004960-MC004962	Yes	Not relevant, no foundation.
774.	04/30/08	Pay Application No. 25 from Murray Company to Richland Memorial	MC004963-MC004965	Yes	Not relevant, no foundation.
775.	07/21/08	Pay Application No. 26 from Murray Company to Richland Memorial	MC004966-MC004968	Yes	Not relevant, no foundation.
776.	09/30/08	Pay Application No. 27 from Murray Company to Richland Memorial	MC004969-MC004971	Yes	Not relevant, no foundation.
777.	10/31/08	Pay Application No. 28 from Murray Company to Richland Memorial	MC004972-MC004974	Yes	Not relevant, no foundation.
778.	12/31/08	Pay Application No. 29 from Murray Company to Richland Memorial	MC004975-MC004978	Yes	Not relevant, no foundation.
779.	05/01/09	Pay Application No. 30 from Murray Company to Richland Memorial	MC004979-MC004981	Yes	Not relevant, no foundation.

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
780.	02/18/08	Correspondence from J. O'Hara to W. Sword	MC004982-MC4985	Yes	Hearsay, not relevant, no foundation.
781.	06/19/10	Murray Company's Spreadsheet re Damages	MC4999	Yes	Hearsay, no foundation, not relevant.
782.	00/00/00	AIA A401-1997	MC5000-MC5018	Yes	No foundation.
783.	02/18/08	Change Order #4 to Part II Agreement between Murray Company and Owner	MC5019-MC5020	Yes	Not relevant, no foundation
784.	01/02/09	Change Order #5 to Part II Agreement between Murray Company and Owner	MC5021-MC5022	Yes	Not relevant, no foundation.
785.	08/22/08	Settlement Agreement Between Owner and Murray Company	MC5023-MC5027	Yes	Not relevant, no foundation.
786.	04/25/07	Langhorst Const. Request for Payment	MC5028	Yes	Exhibit 786-808 are additional, alleged, damage documents, which were produced for the first time by Murray Company on June 25, 2010 under a cover letter from its attorneys. Objection on the grounds that these documents were not produced in discovery. Plaintiff also objects for all of the same reasons as the previous objections to the previously described damage documents set forth in the objection to Exhibit 329.
787.	05/21/07	MC Check to Langhorst Constr., Inc.	MC5029	Yes	Same objection as to Exhibit 786
788.	06/15/07	Stevens Industries, Inc. Invoice No. 2713147	MC5030	Yes	Same objection as to Exhibit 786

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
789.	06/15/07	Stevens Industries, Inc. Invoice No. 2713148	MC5031	Yes	Same objection as to Exhibit 786
790.	06/15/07	Stevens Industries, Inc. Invoice No. 2713149	MD5032	Yes	Same objection as to Exhibit 786
791.	10/18/07	Murray Company check to Stevens Industries	MC5033	Yes	Same objection as to Exhibit 786
792.	03/30/07	Stevens Industries, Inc. Invoice No. 2706871	MC5034	Yes	Same objection as to Exhibit 786
793.	04/20/07	Murray Company check payable to Stevens Industries, Inc.	MC5035	Yes	Same objection as to Exhibit 786
794.	03/30/07	Stevens Industries, Inc. Invoice No. 2706871	MC5036	Yes	Same objection as to Exhibit 786
795.	04/20/07	Murray Company check payable to Stevens Industries, Inc.	MC5037	Yes	Same objection as to Exhibit 786
796.	12/31/07	Illini Builders Invoice No. 2007-428 with attachments	MC5038-MC5043	Yes	Same objection as to Exhibit 786
797.	12/31/07	Illini Builders Request for Payment No. 2007-417 with attachments	MC5044-MC5048	Yes	Same objection as to Exhibit 786
798.	12/31/07	Illini Builders Request for Payment No. 2007-393 with attachments	MC5049-MC5052	Yes	Same objection as to Exhibit 786
799.	12/31/07	Illini Builders Request for Payment No. 2007-392	MC5053-MC5057	Yes	Same objection as to Exhibit 786
800.	12/31/07	Illini Builders Request for Payment No. 2007-391 with attachments	MC5058-MC5061	Yes	Same objection as to Exhibit 786
801.	12/31/07	Illini Builders Request for Payment No. 2007-409 with attachments	MC5062-MC5064	Yes	Same objection as to Exhibit 786
802.	12/31/07	Illini Builders Request for Payment No. 2007-411	MC5065-MC5067	Yes	Same objection as to Exhibit 786
803.	12/31/07	Illini Builders Request for Payment No. 2007-429 with attachments	MC5068-MC5085	Yes	Same objection as to Exhibit 786
804.	07/27/07	Murray Company check to Illini Builders	MC5086	Yes	Same objection as to Exhibit 786
805.	06/04/07	Illini Builders Request for Payment No. 2007-103	MC5087-MC5094	Yes	Same objection as to Exhibit 786
806.	06/05/07	Illini Builders Request for Payment No. 2007-105	MC5095-MC5102	Yes	Same objection as to Exhibit 786
807.	05/30/07	Illini Builders Request for Payment No. 2007-99	MC5103-MC5105	Yes	Same objection as to Exhibit 786
808.	06/05/07	Illini Builders Request for Payment No. 2007-104 with attachments	MC5106-MC5115	Yes	Same objection as to Exhibit 786

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
809.	05/18/09	Affidavit of Paulette Kaminski	Def's Depo. Exh. 57	Yes	The 80 pages of documents attached to the Affidavit of Paulette Kaminski are clearly not business records, but instead consist of handwritten notes of specific telephone conversations and copies of documents previously exchanged between Piasa and Murray Company that are otherwise identified as Exhibits, correspondence from Murray Company to its subcontractors, correspondence from Charles Campisi, Murray Company's expert witness, to the Murray Company, the initial expert report of Charles Campisi to the Murray Company, a copy of a plan sheet (aerial view) of the Hospital and a copy of the application and installation manual for Blaze-Shield II, which has otherwise been

NO.	DATE OF DOC- UMENT	DOCUMENT DESCRIPTION	SOURCE	OBJECTION BY PLAINTIFF	GROUND
809	5/18/09	Continued from page 43, Exhibit 809		Yes	identified as an Exhibit in the case. These documents do not qualify as business records.
810.	TBD	Affidavit of Competent Isolatek Employee to Establish Foundation/Admissibility of Various Isolatek Records, above, under Fed. R. Evid. 902(11).		Yes	The alleged Affidavit has not yet been produced (and apparently does not yet exist). Plaintiff reserves the right to object further if and when the proposed Affidavit is provided. Any such Affidavit would not be timely.
811.	TBD	Affidavit of Competent Patriot Employee to Establish Foundation/Admissibility of Various Patriot Records, above, under Fed. R. Evid. 902(11).		Yes	Same objection as Exhibit 810
812.	TBD	Affidavit of Competent Code Consultants Employee to Establish Foundation/Admissibility of Various Code Consultants Records, above, under Fed. R. Evid. 902(11)		Yes	Same objection as Exhibit 810